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PLANNING AND BUILDING STANDARDS COMMITTEE MONDAY, 8TH JANUARY, 2024

A MEETING of the PLANNING AND BUILDING STANDARDS COMMITTEE will be held in the COMMITTEE ROOM 2/3, COUNCIL HEADQUARTERS, NEWTOWN ST. BOSWELLS AND VIA MICROSOFT TEAMS on MONDAY, 8TH JANUARY, 2024 at 10.00 AM

All attendees, including members of the public, should note that the public business in this meeting will be livestreamed and video recorded and that recording will be available thereafter for public view for 180 days.

N. MCKINLAY,
Director Corporate Governance,

1 January 2024

BUSINESS	
1.	Apologies for Absence
2.	Order of Business
3.	Declarations of Interest
4.	Minute (Pages 3 - 6) Consider Minute of the Meeting held on 4 December 2023 for approval and signature by the Chair. (Copy attached.)
5.	Applications Consider the following applications for planning permission:
(a)	Units 8 And 9, Carlaw Road, Pinnaclehill Industrial Estate, Kelso - 23/01352/FUL (Pages 7 - 14) Change of Use from Class 4 (Business), Class 5 (General Industrial) and Class 6 (Storage or Distribution) to Gym and fitness studio (Class 11 – Leisure). (Copy attached.)
(b)	Burnmouth Church, Stonefalls, Burnmouth, Eyemouth - 22/00725/FUL (Pages 15 - 32) Change of use of church, alterations and extensions to provide dwellinghouse for holiday let. (Copy attached.)

6.	Supplementary Planning Guidance: Newstead Conservation Area Appraisal and Management Plan (Pages 33 - 120) Consider report by Director Infrastructure and Environment. (Copy attached.)
7.	Appeals and Reviews (Pages 121 - 126) Consider Briefing Note by Chief Planning and Housing Officer. (Copy attached.)
8.	Any Other Items Previously Circulated
9.	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 Committee Room 2/3, Council Headquarters, Newtown St. Boswells on Monday, 4th December, 2023 at 10.00 am

Present:- Councillors S. Mountford (Chair), J. Cox, M. Douglas, D. Moffat, N. Richards, S. Scott and E. Small

Apologies:- Councillors A. Orr and V. Thomson

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

1. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 4 December 2023.

DECISION

AGREED to approve the Minute for signature by the Chair.

2. **APPLICATIONS**

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

DECISION

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

3. **APPEALS AND REVIEWS**

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

3.2 The Chair advised that two appeal decisions received were upheld. Those Committee decisions were made against the officer's recommendations and that, while the Committee was within its right to have done so, the Chair was of the opinion that in future the Committee must ensure there was robust reasoning in decision-making. The Chair discussed the matter and possible training with the Director Corporate Governance and noted that if there was consistency in the Committee overturning officers' decisions and appeals being subsequently upheld by the reporter, it may cause the Council reputational damage. The Committee were advised that there should be clarity in the reasons why the Committee refuse planning applications.

DECISION

NOTED that:

(a) Appeal decisions had been received in respect of:

(i) Erection of dwellinghouse, Land Adjacent Rose Cottage, Maxwell Street, Innerleithen – 22/01993/FUL – reporter's decision: sustained;

- (ii) Installation of communication lattice tower 35m high c/w headframe on new 6.5m x 6.5m RC concrete base and associated ancillary works, Land at Menzion Forest Block, Quarter Hill, Tweedsmuir – 23/00777/FUL – reporter’s decision: sustained;
- (b) There remained 2 appeals previously reported on which decisions were still awaited when the report was prepared on 23 November 2023 which related to sites at:

<ul style="list-style-type: none"> • Land East of Kirkwell House, Preston Road, Duns 	<ul style="list-style-type: none"> • 2 Gladstone Street, Hawick
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- (c) Review requests had been received in respect of:
- (i) Change of use of derelict agricultural building and extension to form dwellinghouse and erection of 17.8m high wind turbine (tip height), The Blue House Near Swansfield Farm, Reston, Eyemouth – 23/00262/FUL;
 - (ii) Erection of dwellinghouse, Land North of Ivanhoe, Dingleton Road, Melrose – 23/00492/PPP;
 - (iii) Change of use from amenity land to garden ground, 58 Waldie Griffiths Drive, Kelso – 23/00684/FUL;
 - (iv) Erection of dwellinghouse, Land South of 1 Old Edinburgh Road, Eddleston – 23/00844/FUL;
 - (v) Erection of boundary fence (retrospective), 24 - 1 Ettrick Terrace, Hawick – 23/00847/FUL;
 - (vi) Erection of dwellinghouse, Garden Ground of Glenbield, Redpath – 23/01014/FUL;
- (d) The following reviews had been determined as shown:
- (i) Demolition of stable and erection of dwellinghouse, Site Adjacent The Steading Whiteburn Farm, Lauder – 22/01905/FUL – Decision of Appointed Officer Upheld;
 - (ii) Change of use from agricultural land to lorry storage yard and erection of building, Land East of Unit 3 Croft Park Industrial Estate, Morebattle, Kelso – 23/00553/FUL – Decision of Appointed Officer Overturned (Subject to Conditions);
 - (iii) Erection of dwellinghouse, Garden Ground of Cheviot View, Eden Road, Gordon – 23/00716/FUL – Decision of Appointed Officer Overturned (Subject to Conditions and a Legal Agreement);
- (e) There remained 1 review previously reported on which a decision was still awaited when the report was prepared on 23 November 2023 which related to a site at U-Stor Business Units, Spylaw Road, Kelso.
- (f) There remained one Section 36 Public Local Inquiry previously reported on which a decision was still awaited when the report was prepared on 23 November 2023 which related to a site at Land West of Castleweary (Faw Side Community Wind Farm), Fawside, Hawick.

The meeting concluded at 11.10 am.

APPENDIX I
APPLICATIONS FOR PLANNING PERMISSION

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
23/00657/FUL	Formation of accesses and change of use of land to storage (part retrospective)	Land Southeast of Mounthooly House, Jedburgh

DECISION: Refused (contrary to officer recommendation) for the following reasons:

1. The proposed development would be contrary to Policy ED10 (Protection of Prime Quality Agricultural Land and Carbon Rich Soils) of the Scottish Borders Local Development Plan 2016 and Policy 5 (Soils) of National Planning Framework 4 in that it would lead to the permanent loss of prime quality agricultural land;
2. The proposed development would be contrary to Policy PMD2 (Quality Standards) of the Scottish Borders Local Development Plan 2016 in that the use of the site for storage would not be compatible with or reflect the character of the surrounding area and neighbouring residential uses; and,
3. The proposed development would be contrary to Policy ED7 (Business, Tourism and Leisure Development in the Countryside) of the Scottish Borders Local Development Plan 2016 in that the development would not respect the character or amenity of the surrounding area and would have a significant impact on nearby uses.

VOTE

Councillor Small, seconded by Councillor Mountford, moved that the application be approved as per officer recommendation.

Councillor Scott, seconded by Councillor Moffat, moved as an amendment that the application be refused on the grounds that the proposed development would be contrary to Policy ED10 (Protection of Prime Quality Agricultural Land and Carbon Rich Soils) of the Scottish Borders Local Development Plan 2016 and Policy 5 (Soils) of National Planning Framework 4 in that it would lead to the permanent loss of prime quality agricultural land; the proposed development would be contrary to Policy PMD2 (Quality Standards) of the Scottish Borders Local Development Plan 2016 in that the use of the site for storage would not be compatible with or reflect the character of the surrounding area and neighbouring residential uses; and, the proposed development would be contrary to Policy ED7 (Business, Tourism and Leisure Development in the Countryside) of the Scottish Borders Local Development Plan 2016 in that the development would not respect the character or amenity of the surrounding area and would have a significant impact on nearby uses.

On a show of hands, Members voted as follows:

Motion	-	2 votes
Amendment	-	5 votes

The amendment was accordingly carried.

NOTE

Ms Caroline Casson spoke in support of the application.

Reference

23/01144/FUL

Nature of Development

Variation of condition 4 of
planning consent
14/01186/MIN to increase
the rate of extraction

Location

Glenfinn Quarry Neuk,
Cockburnspath

DECISION: Approved as per officer recommendation subject to the following conditions and informatives:

Conditions:

1. The rate of mineral extraction from the site shall not exceed 175,000 tonnes per annum over any period of three years. Written records shall be kept by the operator of all Heavy Goods Vehicle movements off site including the weight of minerals carried by each vehicle and that information shall be made available for inspection by the Planning Authority on an annual basis on the last day of March each year.
Reason: To safeguard the amenity of the surrounding area and avoid excessive extraction levels.
2. With the exception of Condition 4 of consent 14/01186/MIN hereby amended as per Condition 1 above, the development shall be implemented in accordance with the plans, drawings, supporting information and schedule of conditions approved under application 14/01186/MIN and in accordance with all agreements/approvals under the terms of those conditions.
Reason: To ensure the development is implemented and operated in accordance with all measures within the approved schedule of conditions under the original planning consent, to ensure compliance the Development Plan and relevant planning policy guidance.

SCOTTISH BORDERS COUNCIL

PLANNING AND BUILDING STANDARDS COMMITTEE

8 JANUARY 2024

APPLICATION FOR PLANNING PERMISSION

ITEM: **REFERENCE NUMBER:** 23/01352/FUL

OFFICER: Euan Calvert
WARD: Kelso and District
PROPOSAL: Change of Use from Class 4 (Business), Class 5 (General Industrial) and Class 6 (Storage or Distribution) to Gym and fitness studio (Class 11 – Leisure)

SITE: Units 8 And 9, Carlaw Road, Pinnaclehill Industrial Estate, Kelso

APPLICANT: Borderline Athletics
AGENT: Edwin Thompson LLP

PLANNING PROCESSING AGREEMENT

A processing agreement is in place to allow the application to be determined by Committee in January 2024.

SITE DESCRIPTION

The application site is a newly developed industrial unit (21/01894/FUL) located on Plots 15 and 16, Carlaw Road, within the extended Pinnaclehill Industrial Estate, Kelso. This is a corner site forming a junction with Carlaw Road and Solomon Way. The building is located to the rear of the plot with parking to the front, located behind a hedged boundary. The building is a standard steel portal framed building comprising nine individual units, each featuring a roller shutter and pedestrian door on the southeast elevation. The existing building is finished in box profile cladding.

PROPOSED DEVELOPMENT

Full Planning Permission is sought for a change of use of Units 8 and 9 (located towards the northern end of the building) to Class 11 (Assembly and Leisure) for use as a gymnasium. No physical changes to the exterior of the building are proposed. Sports massage and sales of sports clothing are to be offered ancillary to the proposed Crossfit gym.

The primary use of the existing building is restricted by condition to Class 4 (office, research and development or light industry), Class 5 (general industry) or Class 6, (storage and distribution) of Schedule of The Town and Country Planning (Use Classes) (Scotland) Order 1997 only.

DETERMINATION BY PLANNING AND BUILDING STANDARDS COMMITTEE

The application requires to be determined by the PBS committee under the Council's scheme of delegation as a substantial body of opposition exceeding five objections from separate households has been received each containing material planning considerations.

PLANNING HISTORY

- 21/01894/FUL - Erection of 9 no industrial units, new access and associated parking – Approved
- 22/01618/CLPU - Operation of Bulking Station – Approved
- 22/01997/FUL - Provision of a 2.4m high perimeter fence and double gates, weighbridge and weighbridge office, covered glass storage bay, installation of perimeter lighting, alterations to existing building and general site layout - Approved

REPRESENTATION SUMMARY

A total of 179 representations have been received comprising 36 objections and 143 support comments.

The principal grounds of objection can be summarised as follows.

- Contrary to Local Plan
- Increased traffic
- Over provision of facility in Kelso - potential closure of local businesses
- The business should be directed to neighbouring towns
- The location of this proposal is detrimental to neighbouring business
- Removal of condition would limit development of light industry/ Inhibit other businesses looking for units in an industrial area
- No adequate parking
- Adverse impact on town centre - retail operation in an industrial estate.
- Sets a precedent to other corporate enterprises/ franchises.

Support comments raise the following points:

- Support health and well-being
- Proposals will benefit the local economy and local area
- Proposals will save additional travelling, being close to employment in the surroundings.

APPLICANT'S SUPPORTING INFORMATION

In support of the application, the following were submitted:

- Supporting statement
- Town Centre First Assessment

DEVELOPMENT PLAN POLICIES:

National Planning Framework 4 (NPF4)

Policy 1 – Sustainable places

Policy 2 – Climate mitigation and adaptation

Policy 9 – Brownfield, vacant and derelict land and empty buildings

Policy 13 – Sustainable transport

Policy 14 – Design, quality and place

Policy 26 – Business and industry

Policy 27 – City, town, local and commercial centres

Scottish Borders Local Development Plan 2016

PMD1 – Sustainability

PMD2 – Quality standards

ED1 – Protection of business and Industrial Land

HD3 – Protection of residential amenity

IS7 – Parking provision and standards

IS9 – Wastewater treatment standards and SUDS

OTHER PLANNING CONSIDERATIONS:

Supplementary Planning Guidance:

Placemaking and Design (2010)

CONSULTATION RESPONSES:

Please note that full responses have been published online but for the purposes of brevity; consultee responses are summarised below.

Scottish Borders Council Consultees

Roads Planning Service: No objection. There is existing off-street parking, and the proposed change of use is unlikely to generate an amount of traffic which would negatively affect the nearby public roads.

Forward Planning Section: First response: Further information required. It is not considered that the applicant has satisfactorily demonstrated that there are no suitable alternative sites within Kelso. As set out above, Policy ED1 states that employment generating uses other than Classes 4,5 and 6 can only be considered where no suitable alternative site(s) are available. Furthermore, Policy 27 contained within NPF4, requires that such proposals must be consistent with the town centre first approach.

Second response: No objection subject to condition that the consent is limited to a gymnasium only (Class 11) for this specific end user. It may also be worthwhile considering that this is issued as a temporary consent.

KEY PLANNING ISSUES:

The key planning issue is whether the proposed development in this location constitutes appropriate development in accordance with the National planning Framework 4 (NPF4) and the Scottish Borders Local Development Plan 2016, particularly as regards to whether the proposal will contribute to the efficient functioning of the allocated site and will be compatible with the neighbouring business and industrial uses.

ASSESSMENT OF APPLICATION:

Policy Principle

Local Development Plan 2016

The wider employment site (zEL206) is allocated as a 'strategic business and industrial site' under Policy ED1 of the Local Development Plan 2016. Policy ED1 distinguishes between 'strategic high amenity sites' and 'strategic business and industrial sites'. Policy ED1 states

that 'There is a presumption in favour of the retention of industrial and business use on strategic and district sites' such as Pinnaclehill.

On that basis, development proposals must satisfy the following policy requirement: (b) "Development for uses other than Classes 4, 5 and 6 on strategic business and industrial sites in the locations identified in Table 1 will generally be refused. Uses other than Classes 4, 5 or 6 can be considered if clearly demonstrated as contributing to the efficient functioning of the allocated site". The proposed use does not fall within Class 4, 5 or 6 of the Use Classes Order and, therefore, conflicts with the first requirement. A gym will not directly contribute to the functioning of the estate per se but the particular contribution to the running of the estate, is accounted for in the service to employees of the surrounding businesses. As regards whether the proposal could be considered an alternative use that would be compliant with ED1 (as a use that would contribute to the efficient running of the allocated site), a gym is currently operating on this industrial estate (approved under planning application 20/00520/FUL), having located here throughout the covid pandemic. No adverse impacts have been identified to be arising from this previous approval. In addition, Policy ED1 recognises that there are certain uses that can co-exist on an industrial estate and in the immediate surroundings there are veterinary and dental practice's also operating under recent planning approvals. It is therefore argued that this previous dilution of business and industrial uses on Pinnaclehill now allows a more mixed use to be considered.

There have been significant numbers of representations to this planning application which is evidence that there is substantial local demand for the proposed change of use to a gymnasium. The counter argument arising in the objections is primarily that there is presently adequate provision of Class 11 use in Kelso (there is said to be six gyms currently operating in Kelso) and that the Planning Authority should resist further provision. It is not for the Planning Authority to mediate in the provision of gyms. This is a commercial decision for the operator and one for the market to regulate. The total number of gyms operating in any given location is not a material planning consideration in the determination of this application and Members will be aware that Planning Authority may only consider the land use principle, character, amenity and the compatibility of the proposed gym with neighbouring business and industry in this case.

The significant body of support must however be weighed against the potential impacts arising from the loss of industrial land. These impacts are identified as the reduced availability of industrial land supply and consequential loss of employment opportunities for the town. Gym use is a service industry and not necessarily employment generating in the sense of business and industry. There are undeveloped business and industrial allocations at Pinnaclehill however these are not currently serviced by road/water/electricity. There is a new allocation of business and industrial land identified in Local Development Plan 2020 but again this is not yet serviced. Members should be aware that this unit is one of few limited opportunities for serviced business and industrial land available within Kelso presently. It must be emphasised that employment land supply is constrained and approving partial change of use to this building may blight future opportunity for employment uses on the wider planning unit as a whole. Members will note, from the history of the site, that the units were approved to be a Biffa bulking station in relation to the operation of a national DRS (Deposit Return Scheme).

National Planning Framework 4

The application is also required to be considered by National Planning Framework 4 specifically Policy 26 – Business and industry and Policy 27 – City, town, local and commercial centres.

Policy 26 aims to encourage, promote and facilitate business and industry uses. Criteria (c) states that 'Other employment uses will be supported where they will not prejudice the primary function of the area and are compatible with the business/industrial character of the area'.

Policy 27 aims to encourage, promote and facilitate development in our city and town centres. Criteria (b) (ii) states that 'Development proposals will be consistent with the town centre first approach. Proposals for uses which will generate significant footfall, including commercial, leisure, offices, community, sport, and cultural facilities.... will not be supported outwith those centres unless a town centre first assessment demonstrates that:

- All centre and edge of centre options have been sequentially assessed and discounted as unsuitable or unavailable,
- The scale of development cannot reasonably be altered or reduced in scale to allow it to be accommodated in a centre, and
- The impacts on existing centres have been thoroughly assessed and there will be no significant adverse effect on the vitality and viability of the centres.

Policy 27 states that the town centre first assessment should be applied flexibly and realistically for proposals, including leisure facilities, so that they are easily accessible to the communities they are intended to serve.

The Town Centre First Assessment has been accepted by Forward Planning officers and the proposals are now considered to be in accordance with National Planning Policy. No other suitable premises are identified in the town centre that could accommodate the intended use. A condition is recommended to ensure the proposed use reverts to business and industry when/ if the gym function ceases to operate. A second condition is also proposed to isolate the proposed use to a gymnasium only (and not other uses within Class 11). Following submission of the town centre first assessment and having regard to the supporting statement and planning history on the wider employment site, it is concluded that the proposed Class 11 use will not be incompatible with the neighbouring business and industrial uses. It is accepted that there will be no adverse impact on the vitality or viability of the town centre and the proposed gymnasium will not prejudice the primary function of the industrial area.

Members will note that the Forward Planning team also suggested that a temporary consent be granted in this case. However, accounting for other consented uses on this employment site, and in particular the existing fitness centre approved under 20/00520/FUL it is felt that this is not necessary. A condition requiring the use to revert back to Use Classes 4, 5 and 6 will ensure that, in the event the gym ceases to operate, it cannot be used for any other use without the prior written consent of the planning authority.

The proposal is for only part of a building and other units within the same building will remain under the planning condition restricting Class 4, 5 and 6 use only and will be available for business and industrial use.

Residential Amenity

There are no nearby residential properties so there should be no adverse effects in that regard. It is considered that any potential increase in noise and activity generated by the proposed business can be accommodated in this industrial location.

Visual impact

No external alterations are proposed under this application.

Services

It is understood existing water and drainage services are in place to serve the development. These were approved under the earlier planning consents to erect the existing building.

Waste Storage

It is considered that the proposed use will generate less waste than a lawful use of the building for industrial purposes so waste storage is not a concern for this application. However, the plans submitted with the application do not show proposals for waste storage. Further details are required and this can be covered by suitably worded planning condition.

Road safety and Parking

The Council's Roads Planning Service (RPS) raise no concerns with regards to the existing access and the parking arrangements. The site benefits from existing off-street parking and the proposed change of use is unlikely to generate a level of traffic that would negatively affect the nearby public roads.

Conclusion

Following the submission of additional supporting information, the proposed development is now considered to be in compliance with NPF4 and LDP 2016 in that the town centre first approach has demonstrated there are no suitable alternative premises located within Kelso town centre that can accommodate the applicant's gym business. The loss of employment floorspace can be mitigated by ensuring future use of the units are safeguarded by condition, and where the proposed leisure use ceases to operate, the building should return to its original (approved) use. The proposed use as a gymnasium should not prejudice the long-term provision of industrial land and buildings in Kelso. No adverse impacts are identified on neighbouring businesses or those seeking to locate to the industrial estate. The gym can be termed a complimentary use to its surrounding uses without any identified detrimental impacts nor being a deterrent to attracting further industrial operators.

An increase in noise and activity generated by the business can be accommodated in this industrial location and is preferential in the interests of protecting neighbouring residential amenity.

CONCLUSIONS

The development will accord with the relevant provisions of the Development Plan and there are no material considerations that would justify a departure from these provisions. The development is considered to be a justified exception within an existing business and industrial area (ED1 of the Local Development Plan) with increasingly mixed use, providing gym facilities for which there is an identified demand. Subject to conditions ensuring the units are used for the intended gym use only and reversion to business and industrial uses should the gym cease to operate, the application is, on balance, considered acceptable.

RECOMMENDATION BY CHIEF PLANNING AND HOUSING OFFICER:

I recommend the application be approved subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Local Planning Authority.
Reason: To ensure that the development is carried out in accordance with the approved details.
3. The approved use shall be limited to a gymnasium only and there shall be no permitted change to any other use within Use Class 11 (Assembly and Leisure) of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended) unless a further planning application has been submitted to and approved by the Planning Authority.
Reason: The development has been considered specifically with respect to the merits of the gymnasium against Policy ED1 of the Local Development Plan 2016 and no other uses within Use Class 11 of Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended).
4. In the event that the approved gymnasium use ceases, the lawful use of units 8 and 9 (approved under application 21/01894/FUL and marked red on the plans hereby approved) shall revert to its previous lawful use (Classes 4-6) under the Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended).
Reason: The development has been considered specifically with respect to the merits of the gym against Policy ED1 of the Local Development Plan 2016 and no other uses within Class 11.
5. The use of units 8 & 9 (marked red on the plans hereby approved) as a gymnasium shall not commence until further details of commercial waste storage facilities are submitted to and approved in writing by the planning authority. The use hereby approved shall not commence until the agreed waste storage facilities are in place. The waste storage facilities shall remain in perpetuity for the duration of operation of the gymnasium.
Reason: To ensure appropriate facilities are in place for the storage of refuse.

DRAWING NUMBERS

Location/Site Plan - 11567.202

Reports

Supporting Statement
Town Centre First Assessment

Approved by

Name	Designation	Signature
Ian Aikman	Chief Planning and Housing Officer	

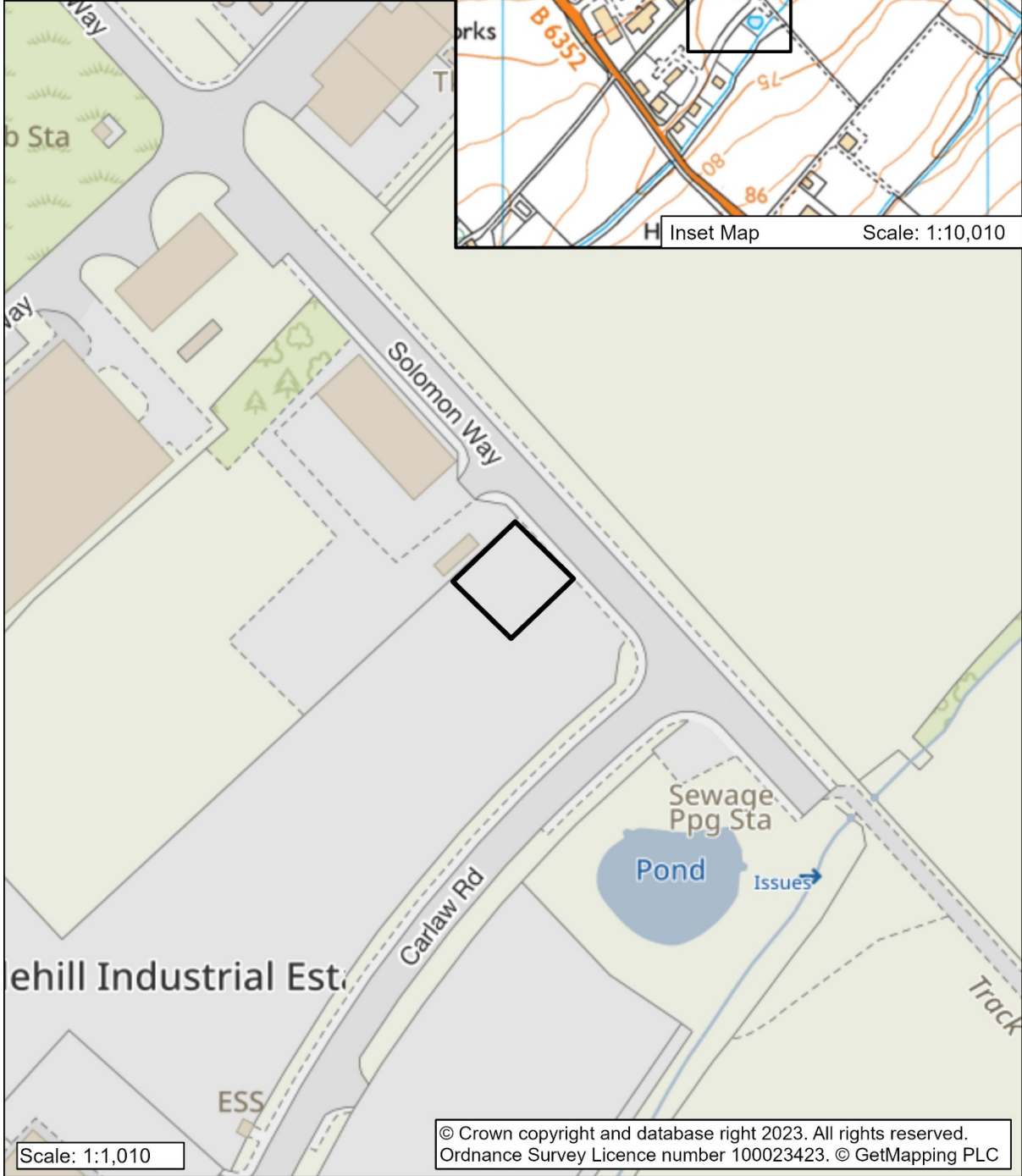
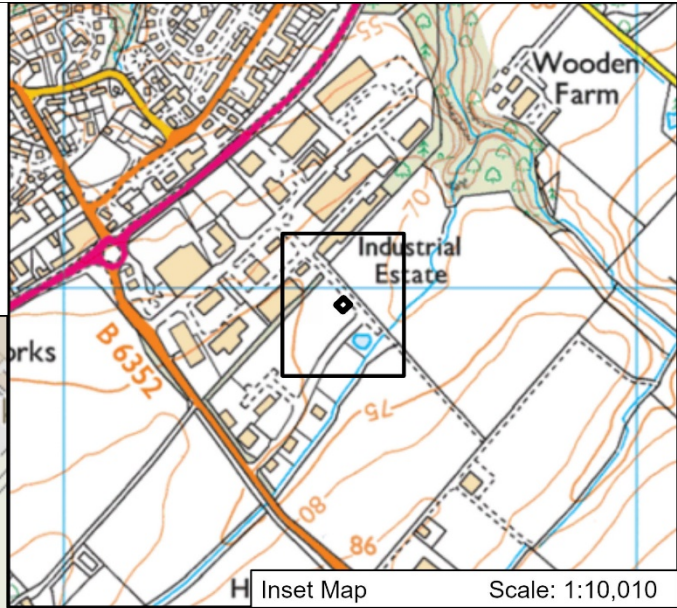
The original version of this report has been signed by the Chief Planning and Housing Officer and the signed copy has been retained by the Council.

Author(s)

Name	Designation
Euan Calvert	Assistant Planning Officer



23/01352/FUL
Units 8 And 9
Carlaw Road
Pinnaclehill Industrial Estate
Kelso



SCOTTISH BORDERS COUNCIL

PLANNING AND BUILDING STANDARDS COMMITTEE

8 JANUARY 2023

APPLICATION FOR PLANNING PERMISSION

ITEM: **REFERENCE NUMBER:** 22/00725/FUL

OFFICER: Paul Duncan
WARD: East Berwickshire
PROPOSAL: Change of use of church, alterations and extensions to provide dwellinghouse for holiday let
SITE: Burnmouth Church, Stonefalls, Burnmouth, Eyemouth
APPLICANT: Floorsure Ltd
AGENT: IRD Design

PLANNING PROCESSING AGREEMENT

A Planning Processing Agreement (PPA) is in place until Monday 5 February.

SITE DESCRIPTION

The former Burnmouth Parish Church is located between Upper and Lower Burnmouth in East Berwickshire, midway down the steep 'The Brae' public road which connects the two. It is located on the west side of the road, opposite an L-shaped row of dwellinghouses. Together, this group of buildings is identified within the Local Development Plan 2016 as one of several distinct clusters of buildings that together comprise the settlement boundary for Burnmouth. Others include Upper Burnmouth, to the west of the application site, and Partanhall to the north.

The site is primarily occupied by the former Burnmouth Parish Church building which is now deconsecrated and vacant. It comprises a large, pitch-roofed core (the former church hall) with a small extension on the east side of the building, abutting the public road, and a single storey hip-roofed extension to the rear.

A short section of the Berwickshire Coastal Path passes the building to the north, within the application site boundary, connecting coastal paths on the hillside to the north and north-west with the public road to the east. To the rear (west) of the former church, within the site boundary, lies a small area of gently sloping grass bank with trees. Land beyond this is also sloping, sometimes steeply, and/ or overgrown.

The site is bound to the south-west by an access track that is in separate ownership and connects to neighbouring land that, together with the access track, was previously the subject of a separate application for holiday accommodation which was refused planning permission by the Local Review Body (details below). At the time of writing, a new planning application on this land has been received (further details below).

The Category 'B' listed Burnmouth Harbour is located at the foot of The Brae. The harbour area and coastal waters are internationally designated as a Special Area of Conservation (SAC). The coast and shore are nationally designated as a Site of

Special Scientific Interest (SSSI). The site itself is not designated, though does lie within the Berwickshire Coast Special Landscape Area (SLA).

PROPOSED DEVELOPMENT

The application seeks full planning permission for the change of use of the former church from Use Class 10 (Non-Residential Institution) to form a single dwelling unit (Use Class 9 – Houses) of holiday accommodation with associated conversion works.

Externally, a new porch entrance would be formed at first floor level on the south side of the building. On the north side, a larger gabled, zinc-clad roof extension with Juliette balcony would provide coastal views. Internally, an additional storey of accommodation would be provided with a large open-plan kitchen/ living room/ dining room at a new first floor level. Four bedrooms would be provided at the existing ground floor level. The exterior would be redecorated, and windows would be replaced. Two south side elevation windows would be infilled.

At the entrance to the site from the public road, a new vehicular access would be formed to a new level parking and turning area. Steps from the new parking area would provide access to the new first floor porch and down to the rear of the property.

PLANNING HISTORY

There is no known planning application history on the site however the following applications are relevant:

22/00297/FUL - An application for the erection of three glamping pods on neighbouring land to the west was refused planning permission by the Local Review Body in January 2023. The reasons for refusal were as follows:

- the development lies largely outwith the development boundary of Burnmouth, and there is insufficient community benefit demonstrated to outweigh the significant adverse effects on the landscape setting of the settlement and the natural heritage of the area.
- the site cannot be accessed without significant adverse impacts on road safety, due to the angle and gradient of the site access junction with the public road.
- the applicant has failed to demonstrate that the proposal can be developed without significant detrimental effects on the Berwickshire and North Northumberland Coastline SAC through potential landslip.
- the applicant has failed to demonstrate that the proposal can be developed without significant detrimental effects on breeding birds or Schedule 1 raptors at the site.

The full decision notice can be found on the Council's Planning Portal.

23/01883/FUL - Erection of two no holiday cabins and associated parking. Land West of Burnmouth Church Stonefalls, Burnmouth. Application received 19 December 2023. This application is pending consideration by the planning authority.

REPRESENTATION SUMMARY

Seven objections from six separate households have been received in response to the application. All are available to view in full on *Public Access*. Key issues raised were:

- Road safety/ increased traffic/ vehicular access
- Drainage/ sewerage/ pumping station struggles to cope in summer
- Design/ materials
- Insufficient parking for potential level of occupation
- Oversupply of holiday accommodation

APPLICANT'S SUPPORTING INFORMATION

The initial application was supported by a Design Statement and 3D Visualisations.

An Ecological Impact Assessment and Engineer's Letter were subsequently submitted in response to comments from Nature Scot and the Council's Ecology Officer.

DEVELOPMENT PLAN POLICIES:

National Planning Framework 4

Policy 1: Tackling the Climate and Nature Crises
 Policy 2: Climate Mitigation and Adaptation
 Policy 3: Biodiversity
 Policy 4: Natural Places
 Policy 6: Forestry, Woodland and Trees
 Policy 7: Historic Assets and Places
 Policy 9: Brownfield, Vacant and Derelict Land and Empty Buildings
 Policy 10: Coastal Development
 Policy 12: Zero Waste
 Policy 13: Sustainable Transport
 Policy 14: Design, Quality and Place
 Policy 16: Quality Homes
 Policy 22: Flood Risk and Water Management
 Policy 23: Health and Safety
 Policy 30: Tourism

Scottish Borders Council Local Development Plan 2016

PMD1: Sustainability
 PMD2: Quality Standards
 PMD4: Development Outwith Development Boundaries
 PMD5: Infill Development
 HD3: Protection of Residential Amenity
 EP1: International Nature Conservation Sites and Protected Species
 EP2: National Nature Conservation Sites and Protected Species
 EP3: Local Biodiversity
 EP5: Special Landscape Areas
 EP7: Listed Buildings
 EP8: Archaeology
 EP13: Trees, Woodlands and Hedgerows
 EP14: Coastline
 EP15: Development Affecting the Water Environment
 EP16: Air Quality
 IS2: Development Contributions
 IS5: Protection of Access Routes
 IS7: Parking Provision and Standards
 IS8: Flooding

IS9: Wastewater Treatment and Sustainable Urban Drainage

Proposed Local Development Plan 2020

IS5: Protection of Access Routes

OTHER PLANNING CONSIDERATIONS:

Supplementary Planning Guidance:

Biodiversity Supplementary Planning Guidance 2005

Local Landscape Designations Supplementary Planning Guidance 2012

Privacy and Amenity Supplementary Planning Guidance 2006

Placemaking and Design Supplementary Planning Guidance 2010

Sustainable Urban Drainage Systems Supplementary Planning Guidance 2020

Waste Management Supplementary Guidance 2015

CONSULTATION RESPONSES:

Scottish Borders Council Consultees

Access: No objection. Requested a condition to require Core Path 2 to remain open and free of obstruction at all times before during and after construction works.

Archaeology: No objection. Noted that the church is first shown by the Ordnance Survey second edition mapping of the area and according to the Geograph website dates to 1888. Advised that the former church building is a historic building and of local interest. The building has not been the subject of a previous building recording exercise either when in use as a church or since its sale after de-consecration. Recommends that a historic building recording exercise be carried out so that the building and that any historic features within it can be recorded.

Ecology Section (first response): Requested appropriate surveys for bats, badgers and Japanese Knotweed. Also requests a ground stability assessment to inform whether the proposal could have an impact on the SAC.

Ecology Section (second response, following submission of further information): Content with ecology of the site itself. Assuming engineering design/mitigation measures are sufficient to prevent landslips content in an ecological context. Notes that NatureScot request a strict condition to prevent impact on the SAC and the SSSI.

Environmental Health: No response.

Flood Risk: No objection but requests drainage information. Notes SEPA flood risk maps indicate that the site is not at risk from a flood event with a return period of 1 in 200 years. However there still remains a risk of water flowing down the slope, and this should be considered within their design. The creation of paved areas and/or parking spaces may increase the surface water runoff from the site and the applicant should submit drainage details to show how they plan to mitigate this risk.

Landscape: No response.

Roads Planning Service: No objection. When considering the proposal, it has to be taken into consideration that the church could be converted to a range of alternative

uses under permitted development rights, some of which could result in an increase in traffic equal to or greater than that generated by the current proposal. The parking arrangement proposed is not ideal in that it is quite constrained and is likely to result in vehicles either reversing onto or off the public road at a location where there is a double bend in the road and visibility is restricted, however vehicles are travelling at slow speeds due to these constraints. There appears no other alternative parking solution within the site boundary. On balance, the Service is inclined to support the provision of parking.

Statutory Consultees

Burnmouth Community Council: Object. Whilst the creation of a new use for the former church is to be welcomed, the plans as currently provided are considered to be on too grand a scale for the building and its location.

- Over development. It is well documented that the previous use of the building was that of a church. The congregation being small and with the services of a minister shared with a number of other parishes, the church was used once a month at most and ordinarily would only muster a small congregation. The scheme proposed for the building is a significant change of use and one which would, if executed, lead to a substantial intensification of use with excessive pedestrian and vehicular traffic to the site. The plans indicate that consent has been sought for the creation of a four-bedroom, three-bathroom holiday home within the same building footprint. Whilst it is encouraging to see a new ongoing use for the property, the CC feel that the proposed development – in effect a home for eight adults, to be an overdevelopment of the site.
- Inadequate infrastructure. The issue of the inadequate infrastructure was flagged during the planning application for the adjacent site. To provide reassurance that this very significant increase in the use of the drainage system will not have an adverse impact on the integrity of the current failing system, we would recommend that a full drainage survey. It is simply not acceptable to assume that the drains in the immediate vicinity will be able to accommodate the significant intensification of use that this scheme would generate. It is also irrelevant for Scottish Water to confirm that there is adequate capacity in Eyemouth to manage the effluent that would be generated
- Traffic. The brae is the lifeline for the lower part of the village and is in parts of only a single vehicle width. There is a dangerous curve just beyond the site. Vehicles coming up the brae are generally looking to accelerate from the corner (evidenced by the loose chippings in the area). Vehicles trying to turn in to the site will find the turn very tight if not impossible to achieve a direct access using only forward gears, not only would a vehicle have to be of a size of a small car, with a tight turning circle, but would have to cross over and completely block the right-hand lane i.e. drive into the path of oncoming traffic. At the entrance to the site is a timber power cable carrying pole which is a further hazard to vehicles entering the site. The site lines at the junction of the proposed entrance drive and the road are severely limited. Visitors to the area are often found to stop their vehicles when driving up the brae in the belief that the red leading harbour lights are a form of traffic control, causing road blockages, an existing issue which will possibly be repeated more frequently. The entrance to the site lies opposite two driveways to three cottages – there is generally insufficient parking at the peak of the holiday season in this area and the proposed scheme will further add to the problem – on an informal basis, holiday makers park vehicles on the adjacent site to save having to park on

the brae. Inevitably they reverse into the site, reinforcing the above point concerning inadequate access. On what is affectionately referred to as Church Corner, to either side of the footpath – a public right of way within the land ownership of the site (and which is acknowledged in the application), there are two low level brick walls which are in disrepair; the plans appear to show the rebuilding of these walls, which is a concern since they front the edge of the road, and the reinstatement of the walls would lead to a narrowing of the roadway. This in turn would lead to (ir)regular single vehicle impact as the maximum road width is used to enable the passing of traffic. Even minor collisions at this pinch point would lead to vehicles stopping to inspect damage/exchange details at that point given the topography.

- On Site Parking. The Design Statement (DS) suggests that holiday guests staying in the four (double) bedroom holiday accommodation would generally arrive in one vehicle. We find this hard to comprehend and consider that two if not three plus vehicles would be the norm, with vehicles totalling possibly four at times - ignoring any day visitors. The proposal is for the provision of two parking spaces with some limited on-site manoeuvring, however only smaller family cars are likely to be able to turn within the site, and if the parked vehicles move to the furthest from the highway boundary to enable additional vehicles to park, this will lead to drivers having to reverse on to the road. If all visitors were to arrive in a single vehicle, the vehicle would be of a size that could not access the parking area in a single action and would also be unable to turn within the limited parking area. In essence the plans show a woeful lack of parking for the size of the proposed scheme.
- Ecology. No ecology report has been provided by the applicant. The area is rich with wildlife. Significant water flow is experienced close to the site and further earthworks can only have the potential to aggravate the fragile natural drainage system. Bats have been seen in the area of the church. There is a growth of suspected Japanese Knotweed outside of the site boundary, consideration should be given during any works, to prevent any further growth.

The Community Council also comment: -

- No site notice has been erected advertising the planning application.
- The CC was not approached prior to the submission of the application in respect of the reinstatement of a bell – though the original was removed prior to the sale of the building and is within the ownership of the Church of Scotland.
- The CC was bemused to note that the owner of the site (a Professional Landlord) is not the Applicant, but a company controlled by the Applicant's son.

NatureScot (first response): Object until further information is received. Primary concerns relate to the absence of information regarding stability of the parking area and the potential impact to sites designated for their internationally and nationally important nature conservation interests located just downslope.

NatureScot (second response following receipt of engineer's letter): No objection provided a condition is attached to secure appropriate mitigation of potential impacts to designated site. Advise that the proposal is likely to have a significant effect on the qualifying features of the SAC. However, an adverse effect on the site integrity can be avoided by implementing mitigation. Based on the engineer's letter, if carried out strictly in accordance with the following mitigation, the proposal will not adversely affect the integrity of the site. Request a condition to secure the agreement of the details of the design and construction of the off-road parking.

Scottish Water: No objection. There is currently capacity for the development at the water treatment and waste-water treatments works.

Other Consultees

Berwickshire Civic Society: Neutral. Consider the site to be tricky as it is very constrained by the topography of Burnmouth. Note that there are a number of objections based on that point and allied points concerning drains. Consider that the re-use of the building is acceptable in the sense that it will preserve a building that might otherwise have little or no use. It allows the context of the former use of the building to be preserved, whilst providing further accommodation for the tourist industry. Suggest that a condition be placed on the building preventing its use as permanent residential accommodation. Note that the applicant company seems to have been formed for the purposes of providing carpet and floor fitting services and has not filed any accounts.

ASSESSMENT OF APPLICATION:

Principle

The application site is primarily located within Burnmouth's settlement boundary as identified in the Local Development Plan 2016 (LDP). A small part of the site, to the rear of the former church building, may extend just beyond the settlement boundary. Policy PMD5 (Infill Development) encourages infill developments including the re-use of existing buildings within development boundaries. Neighbouring land uses are primarily residential, and the proposed holiday use would not be in conflict with this. The scale of the development would be in keeping with that of the existing building, with roof extensions proposed to provide a covered entrance at first floor level and to capitalise on coastal views on the north facing side of the building. The creation of an additional storey of accommodation is logical and is acceptable in principle. Policy PMD5 contains various further criteria which are considered separately below. Otherwise, the principle of the proposed development is considered to be acceptable.

As regards the small portion of the site that may sit just beyond the settlement boundary, any such variance would appear to be the result of the settlement boundary deviating slightly from the ownership boundary. It would be negligible in size and, significantly, there is no proposal to build upon it. The provisions of LDP policies PMD4 and EP14 have been considered, but there are not considered to be any significant policy implications (in principle) arising from these circumstances.

As the proposal is for holiday accommodation, a standard condition is recommended to secure control over the use of the development.

Climate and Sustainability

National Planning Framework 4 (NPF4) states at Policy 1 that significant weight should be given to the global climate and nature crises when considering all development proposals. The latter is considered later in the report.

The primary climate implications would include the benefit of reusing the existing building, and, during the life cycle of the development, the energy efficiency of the converted building and the emissions impact of guest travel.

NPF4 is clear that the reuse of existing buildings should be supported in principle, regardless of historic or architectural merit. At Policy 9 (Brownfield, vacant and derelict land and empty buildings) d) it states that development proposals for the reuse of existing buildings will be supported, taking into account their suitability for conversion to other uses. Given the need to conserve embodied energy, demolition will be regarded as the least preferred option. Further, at Policy 12 (Zero waste) b) NPF4 states simply that development proposals will be supported where they reuse existing buildings and infrastructure.

The suitable reuse of the existing building is therefore supported in principle on grounds of sustainability, considering the embedded carbon in the fabric of the building. The report considers the local social and historic interest of the building further below.

Regarding life-cycle implications, there is limited information on energy efficient measures to be used. This would be considered in detail through the Building Warrant process. It is acknowledged that sustainable travel options for guests would be limited at this location. That is the case for many rural tourism businesses.

Vehicular Access, Road Safety and Parking

The proposed development would be accessed via the steep, narrow public road that connects Upper and Lower Burnmouth. This is the only public road serving the communities of Lower Burnmouth, Ross and Cowdrait (a separate public road to the north serves Partanhall). Considerable concern has been raised by members of the public at the prospect of this. These concerns are understood and appreciated. There is no doubt that the public road at this location is challenging. The Community Council response describes the issues at the road in detail. In short, it is very steep, narrow in places, with tight corners and limited forward visibility at times. This is particularly so at the proposed vehicular access, where, in addition, there are existing accesses already in place on both sides of a short section of road.

Before exploring the proposed vehicular access arrangements in detail, it is important to note that the former church has an established planning use that could be resumed in the future. That use falls within Use Class 10 (non-residential institutions) of the Use Classes Order. The use of the property could transfer from one Class 10 use to another without requiring planning permission. Other uses falling within Use Class 10 include uses as a creche, day nursery, art gallery, museum, or public hall. The Planning Authority would have no remit should the property owner wish to pursue such alternative uses – with or without the new parking proposed under this application. This should be borne in mind when considering matters of road safety and the merits of the proposed new vehicular access and parking.

In its response to the application, the Roads Planning Service acknowledged this situation and took account of it in reaching its no objection conclusion. Regarding the matters of vehicular access and parking, the Service do not consider the proposed arrangements to meet their preferred specification but acknowledge that there are no other alternative parking solutions available within the application site boundary. The Service do not dispute the concern raised by objectors, that some vehicles may need to reverse into or from the public road to use the proposed new parking. This is obviously undesirable at a location where there is a double bend in the road and other existing accesses already in place (not to mention the gradient of the road). However, it is also true to note that traffic speeds at this location are low on account of these issues. Therefore, on balance, the Roads Planning Service consider that the provision

of parking is preferable to the alternative: providing no parking and requiring visitors to park at Upper or Lower Burnmouth and walk with luggage.

The plans show the reinstatement of low walling on either side of the coastal path where it meets the public road. The walling has fallen into disrepair and is now flush with the public road where it abuts it, meaning that it no longer serves as a visual signifier of the drop in levels that occurs between the walls, or the potential for emerging users of the coastal path. The reinstatement of this walling is considered acceptable.

It is worth noting that, since the original submission of the application, the public road has been resurfaced and fresh road markings have been applied.

Placemaking and Design

The existing building holds local social and historic interest but has not been listed for any special architectural or historic interest. There is no conservation area at Burnmouth. Nevertheless, owing to its setting, the former church does hold a certain degree of charm. The principle of retaining the building is therefore to be welcomed and supported in placemaking and heritage terms. Impacts to the Berwickshire Coast Special Landscape Area, however, require careful consideration.

The proposed development would involve new roof extensions. A new porch extension would be erected off the roof on the south side of the building, which would effectively become the front of the building. The new porch would be traditional in scale, form and massing, but in its siting off the roof of the former church, the porch would be fairly unusual. The use of standing seam zinc cladding would allow the porch to read clearly as a contemporary addition to the building.

To the far side, a larger gabled roof extension is proposed. This extension would be seen in longer views or at oblique angles/ side-on from the public footpath/ public road. Again, the proposed standing seam cladding would define the extension as a later extension. Revisions were made to narrow the gable and to distinguish it from the wall below, so it reads clearly and more simply as a roof extension.

Regarding materials, it would be preferable to simplify the design of both extensions further with a single contemporary cladding treatment as opposed to the mix of standing seam zinc and slate currently proposed, subject to practical considerations. The external redecoration is acceptable in principle and a white colour would relate well to the existing buildings on the far side of the road. The use of a wet dash render would however be more in keeping with the character of the existing building. The loss of existing stained-glass windows is regrettable but acceptable, bearing in mind the building is not listed. The choice of cast iron rainwater goods and a revision to use conservation rooflights is to be welcomed. These points can be controlled by condition.

The proposed parking area would be built up to almost eaves level of the existing building. This would undoubtedly have an adverse visual impact and would be harmful to the setting of the former church. However, as noted above, the building is not listed; its setting does not benefit from the protections afforded by LDP policy EP7, for example. The provision of parking would help facilitate the change of use and the comments of the Roads Planning Service in this regard are relevant. The adverse visual implications of the proposed parking are therefore, on balance, accepted. Following revisions, the appearance of the retaining infrastructure would be stone clad/ enclosed and softened by grass banking where gabion baskets were originally proposed. The specification of stone walling/ cladding would require agreement along

with further details of hard and soft landscaping: further planting would be beneficial to help soften and screen views of the elevated parking area. New fencing is proposed for edge protection to the new parking area and porch steps. It would be appropriate to have such fencing painted in a dark colour to avoid a utilitarian appearance.

There are not considered to be any no noteworthy trees, shrubs or hedging within or adjacent to the site that would be worthy of particular protection.

The Design and Access Statement states that the applicant is prepared to reinstate the Church Bell and allow access to it to the Community Council for local festivities. The Community Council has not been a party to any discussions on this. In placemaking and heritage terms, the offer for reinstatement is to be welcomed however it is understood that the applicant is not in possession of the bell. Given the reinstatement may not be within the full control of the application, it would not be appropriate to control the reinstatement by planning condition. Nor would the matter of access to the church bell be one for the planning process to consider or regulate.

Designated Sites

Coastal and shoreline areas close to the site are designated as a Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC). The Berwickshire and North Northumberland Coast SAC is designated for its reefs, sea caves and grey seals. The Berwickshire Coast (Intertidal) SSSI is notified for its rocky shore and sea caves. There is potential connectivity between the site and the designated sites via watercourses on the hillside and the risk of land slippage. Whilst works to alter the existing building are unlikely to encounter such issues, the formation of the proposed parking area needs to be accounted for.

In response to concerns raised by the Council's Ecology Section and NatureScot, further information in the form of an engineer's letter was provided on behalf of the application agent. The letter notes that all ground engineering works would be conducted behind the existing church building which has stood on the site for many years, demonstrating what the site can support. It advises that the off-street parking would be subject of a Building Warrant application that requires full input from a suitably qualified structural Engineer.

Having considered the contents of the Engineer's letter, NatureScot is now content that these considerations can be adequately mitigated to avoid adversely affecting the integrity of the SAC and SSSI. Accounting for these considerations, a Habitats Regulations Appraisal has been carried out. NatureScot requires a condition that would secure such mitigation, which would take the form of details of the design and construction for the parking area including information about existing slope stability, ground bearing conditions, and any cumulative effects of construction work on the surrounding slopes and neighbouring structures. A condition to this effect is recommended. The condition is worded to ensure the off-road parking area is delivered prior to the occupation of the development. It also covers surface water drainage for the parking and turning area.

Protected Species

An Ecological Impact Appraisal (EclA) was recently submitted on behalf of the applicant and has been considered by the Council's Ecology Officer. The EclA included a walkover survey of the site carried out in July 2023. The EclA does not envisage any significant ecological effects arising from this development.

No active birds' nests were found within the site however there was some evidence that breeding birds had used the site. The EclA set out a Species Protection Plan (SPP) to mitigate the potential impact to breeding birds. A condition is recommended to secure compliance with the SPP.

Following a preliminary assessment of the existing building and adjacent habitats, no bats or evidence of bats was found. The building was judged to be well-sealed and was assessed as having negligible suitability for roosting. However, the EclA recommended precautionary mitigation, which can be secured by condition.

The EclA found no evidence of badgers or other itinerant species such as hedgehogs but recommended precautionary mitigation for these species also. The precautionary mitigation for bats, badgers and hedgehogs can be secured by condition.

Biodiversity Enhancement

NPF4 policy 3 requires the provision of biodiversity enhancement. This can be secured by planning condition.

Invasive Species

The invasive species Japanese Knotweed is thought to be present close to the application site. The EclA did not identify any invasive species within the site but recommended a checking survey prior to works commencing. The Council's Biodiversity SPG document states that if invasive plant species such as Japanese knotweed are growing within a development site, measures must be taken to ensure that development does not cause them to spread within or outwith the site. It is considered appropriate to require such a further checking survey to be carried out. In the event the species is found within the site the agreement and delivery of a mitigation plan would be required. This can be controlled by planning condition.

Neighbouring amenity

The development would relate well to neighbouring residences as regards privacy, daylight, sunlight, and outlook. The new dormer window would face out towards the coast. A single window would be formed at first floor level facing east/ south-east. Taking consideration of factors including the angle and distance to the neighbouring property, the proposal would not be considered unacceptable in overlooking terms. There is not any reason to believe unacceptable noise or disturbance issues should arise. The proposed development is considered to satisfy LDP policy HD3 (Protection of Residential Amenity).

Access Rights

The Berwickshire Coastal Path follows the footpath tight against the north side of the existing former church building, within the application site. The proposed development would not impinge on the path and the Design Statement submitted with the application confirms it would be retained. It is considered appropriate to secure these points by way of a planning condition. If the access needed to be diverted during works, the recommended condition would allow this to be considered and controlled, as necessary. Subject to compliance with the condition attached, the proposals would be considered to satisfy LDP policy IS5 (Protection of Access Routes).

Flood Risk and SUDS

The site is not identified as being at risk of flooding by SEPA's flood risk maps. The Council's Flood Team were consulted at the outset of the application and raise no concerns in principle with what is proposed. The team note that there still remains a risk of water flowing down the slope, and this should be considered within their design. This point could be relayed to applicant/ developer by applicant informative.

The Flood Team initially requested further information in relation to the handling of surface water resulting from the new parking area. The formation of the new parking would remove a small area of currently free-draining land and would need to be accounted for. Since then, the proposals have been revised to show the area adjacent to this to be soft landscaped. A soakaway is also shown on the proposed drawings for the collection and disposal of rainwater from the new hard surfaced parts of the development. Further discussions with the Flood Team have confirmed that the matter of surface water drainage could be dealt with satisfactorily by condition. As noted above, the condition drafted to secure the mitigation NatureScot require has been worded to cover surface water drainage arrangements for the off-road parking area.

Water Supply

The application form indicates that a public mains water connection is already in place. Scottish Water has also confirmed that there is capacity at the local water treatment works to service the development. A condition can be attached to provide additional assurance that a functional connection is in place prior to occupation.

Foul Waste

Significant concerns have been raised regarding the capacity of the local foul sewer infrastructure to cope with further development. There appears to be a particular issue with local infrastructure within Burnmouth at peak periods (i.e., summer). Scottish Water has no objections and has not commented on this specific matter, though has confirmed capacity at the local wastewater treatment works (in Eyemouth). It should be noted that the building already has facilities in place including a connection to the foul sewer. Whilst the proposal may generate further demand on local infrastructure the same outcome could arise through other uses the building could be used for without the need for planning permission. Further, there is no known reason to believe that any existing deficiencies could not be addressed by those responsible. A condition is attached to ensure an appropriate connection is in place prior to occupation.

Waste storage

There is no dedicated bin storage proposed within the site however there would appear to be suitably sized and situated land available to the rear of the property for external bin storage, accessible via the public footpath. A condition to require the delivery of a bin stance and preferably some form of enclosure is recommended.

Other Matters

The planning system does not currently seek to regulate the supply of holiday accommodation within the Scottish Borders. Any oversupply of such accommodation, as mentioned in representations, is a commercial decision for the applicant/ developer, and for the market to resolve.

The proposed holiday usage would not generate any additional demand upon local education capacity. No development contributions towards local education would therefore be sought.

The application was advertised in the Berwickshire News and was subject to standard neighbour notification and consultation processes. No site notice advertising the planning application was required.

CONCLUSION

Subject to compliance with the schedule of conditions, the development will accord with the relevant provisions of the development plan and there are no material considerations that would justify a departure from these provisions.

RECOMMENDATION BY CHIEF PLANNING AND HOUSING OFFICER:

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

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended.
2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Planning Authority.
Reason: To ensure that the development is carried out in accordance with the approved details.
3. No development shall take place until the applicant has secured the implementation of a programme of archaeological work (which may include excavation) in accordance with a Written Scheme of Investigation outlining a Historic Building Survey which has been formulated by, or on behalf of, the applicant and submitted to and approved in writing by the Planning Authority. Access should be afforded to allow archaeological investigation, at all reasonable times, by a person or persons nominated by the developer and agreed to by the Planning Authority. Results will be submitted to the Planning Authority for review in the form of a Historic Building Survey Report.
Reason: To preserve by record a building of historical interest
4. No development shall commence until a Scheme of Details for the Design and Construction of Parking and Turning has been submitted to and approved in writing by the Planning Authority. The Scheme of Details shall include:
 - measures to ensure the stability of the site and surrounding land.
 - information regarding existing slope stability, ground bearing conditions, and any cumulative effects of construction work on the surrounding slopes and neighbouring structures.
 - precise details of parking and turning construction and layout including existing and proposed site levels.
 - details of surface water drainage for parking, turning and other hard surfaces.
 - details of stone walling/ cladding enclosing the raised parking and turning areas; and
 - details of enclosing fencing, including finish/ colour.

Thereafter the development shall be carried out in strict accordance with the approved Scheme of Details and the agreed parking and turning, including the agreed stone walling/ cladding and surface water drainage, shall be completed and operational prior to the occupation of the development hereby approved.

Reason: to ensure there is no adverse effect on the integrity of the Special Area of Conservation; to ensure the parking and turning is delivered prior to occupation; and to control its drainage and appearance.

5. The dwellinghouse hereby approved shall be occupied for holiday use only and shall not be used as a person's sole or main residence or as temporary or permanent residential accommodation. The occupation of the holiday let shall be restricted to genuine holidaymakers and shall not be let to the same individual, and/or to different individuals within the same family, group and/or party, for any period of time in excess of 4 weeks in total within any consecutive period of 13 weeks. The operator shall maintain an up-to-date register of the names of all holiday makers staying in the holiday units and their main home addresses. This information shall be made available for inspection at all reasonable times by an authorised officer of the Planning Authority.

Reason: To ensure compliance with the adopted development contributions policy, to retain effective control over the development and to ensure that the property, in line with the details presented in support of the planning application, is only ever used to accommodate short-term holiday lets and is not used as a private dwellinghouse by any long term or permanent residents without the express granting of planning permission.

6. This permission shall only permit the conversion, adaptation, and extension of the existing structure. It shall not purport to grant permission for the erection of any new dwelling/s nor for any extensive rebuilding which would be tantamount to the erection of a new building/ dwelling. If elevational drawings are inconsistent with floor plans, elevation drawings of the alterations shall take precedence, unless otherwise agreed with the Planning Authority.

Reason: Permission has been granted for the conversion of the existing building to habitable accommodation in a location where a new dwelling/s would not otherwise be appropriate, and to ensure alterations to the building are sympathetic

7. Notwithstanding the description of the materials in the application, no development shall be commenced until precise details, including photos of samples and product names and specifications, of the materials to be used in the external areas of the development 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. This shall include photos of wet dash render sample for the external redecoration; details of cast iron rainwater goods; details and photos of standing seam cladding, which shall be used on both the cheeks/ sides and roof of the two extensions hereby approved; and details of proposed replacement windows. All unless where otherwise agreed in writing by the Planning Authority.

Reason: The materials require further consideration to ensure a satisfactory form of development.

8. Prior to the commencement of development, a scheme of details for hard and soft landscaping and boundary treatments shall be submitted to and approved in writing by the Planning Authority. The scheme of details shall include:

- a. A site plan showing all proposed hard and soft landscaping, including the location of new trees, shrubs, hedges and grassed areas, and fencing/ walling.

- b. A schedule of plants to comprise species, plant sizes and proposed numbers/density.
- c. Details of fence/ wall materials and heights; and
- d. Details of hardstanding materials.

Thereafter, all planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following occupation or completion, whichever is the sooner, and shall be maintained thereafter and replaced as may be necessary for a period of two years from the date of completion of the planting, seeding or turfing, and fencing/ walling shall accord with the agreed details.

Reason: To ensure satisfactory form, layout and assimilation of the development.

- 9. Prior to the commencement of development, details of bin storage arrangements shall be submitted for the written approval of the Planning Authority. Thereafter the agreed bin storage arrangements shall be in place prior to the occupation of the development hereby approved and retained in perpetuity thereafter.

Reason: To ensure suitable bin storage arrangements are provided, in the interests of visual amenity.

- 10. No development shall commence until a Species Protection Plan for breeding birds, bats, badgers and hedgehogs and the findings of a pre-commencement checking survey for Japanese knotweed have first been submitted for the written approval of the Planning Authority. Thereafter, the development shall be carried out in strict accordance with the agreed Species Protection Plan and in, the event Japanese knotweed is found within or adjacent to the site, in accordance with a mitigation plan for Japanese Knotweed (with timetable for delivery) that has first been submitted to and approved in writing by the Planning Authority. The Japanese knotweed mitigation plan shall be delivered in full in strict accordance with the agreed timetable for delivery. All unless otherwise agreed in writing by the Planning Authority.

Reason: in the interests of biodiversity.

- 11. Prior to the commencement of development, details of a scheme of post-construction ecological enhancements, including timescale for implementation, have been submitted to and approved in writing by the Planning Authority. The approved details shall be implemented within the approved timescale.

Reason: To provide a reasonable level of ecological enhancement relative to the environmental impact of the development in accordance with the statutory development plan.

- 12. Core Path 2 that runs through the site must be maintained open and free from obstruction during the development and in perpetuity thereafter, unless where first agreed in writing by the Planning Authority. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (Scotland) Order (or any subsequent provisions amending or reenacting that Order), there shall be no additional development on this route which would restrict public access, unless an application for planning permission for such development has been approved by the Planning Authority.

Reason: To protect general rights of responsible public access.

- 13. The rooflight/s hereby approved shall be of "conservation" design, featuring a single central vertical astragal and black or dark grey framing. The rooflight/s shall be installed to run flush with the slates on the roof. Thereafter, the rooflight/s shall be so retained, unless otherwise agreed by the Planning Authority.

Reason: To protect the character and appearance of the building.

14. Prior to the occupation of the development hereby approved, connection to the mains water supply and public foul sewer shall be in place and made functional and operational, unless first agreed in writing by the Planning Authority. Thereafter, no other water supply or foul drainage arrangements shall be used without the prior written agreement of the Planning Authority.

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

Informatives

1. The Flood Team note that there is a risk of water flowing down the slope and this should be considered within the design. Please contact the Council's Flood Team for more advice on this point.

DRAWING NUMBERS

Location Plan – 29 April 2022

Proposed Site Plan – 004 Rev A – 12 September 2023

Proposed Elevations – 005 Rev A – 12 September 2023

Proposed Floor Plans – 003 Rev A – 2 September 2023

Approved by

Name	Designation	Signature
Ian Aikman	Chief Planning and Housing Officer	

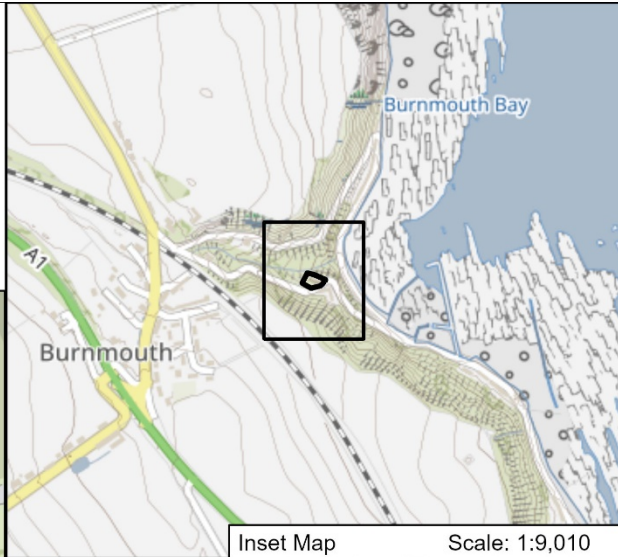
The original version of this report has been signed by the Chief Planning and Housing Officer and the signed copy has been retained by the Council.

Author(s)

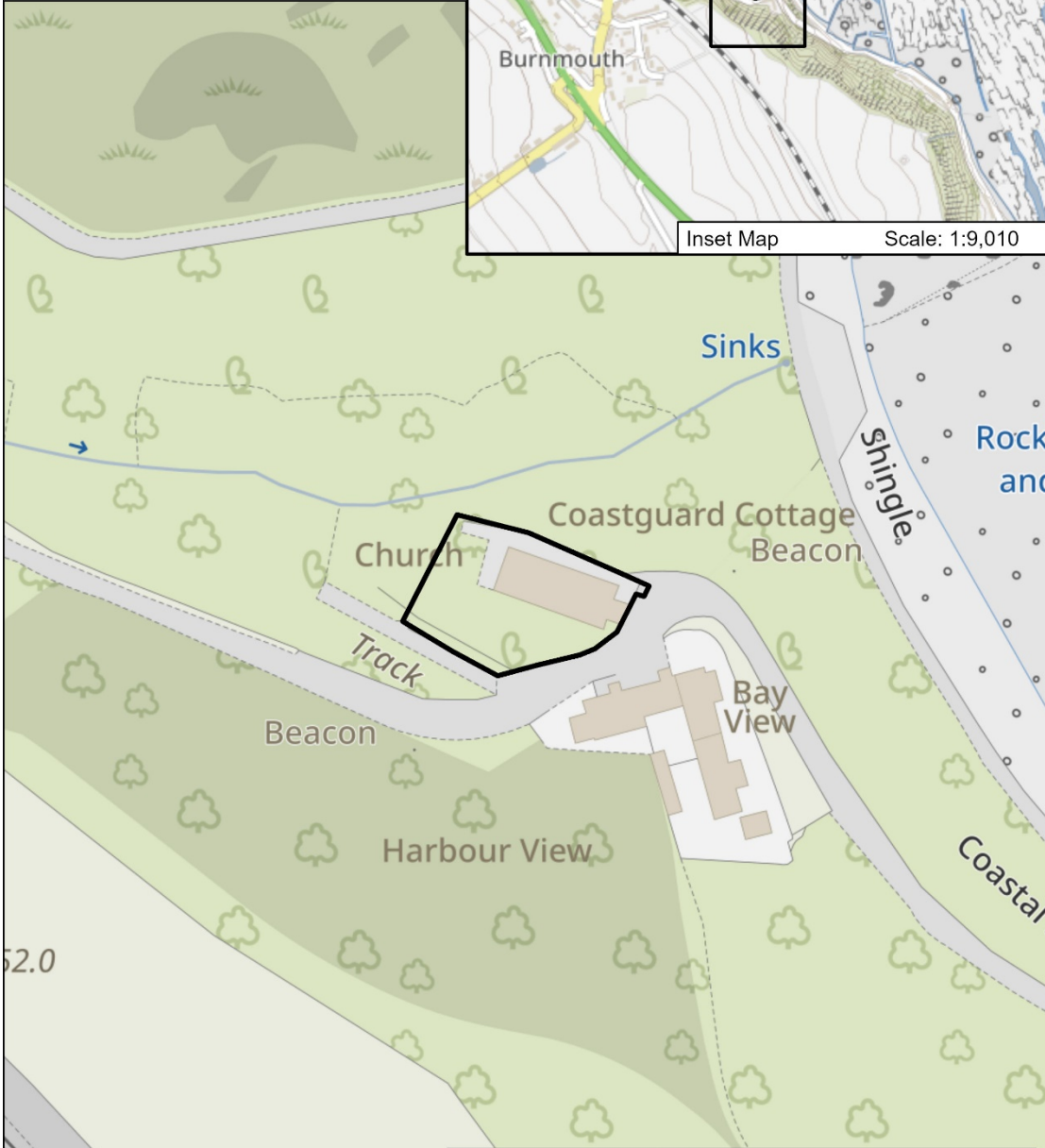
Name	Designation
Paul Duncan	Planning Officer



22/00725/FUL
Burnmouth Church



Inset Map Scale: 1:9,010



Scale: 1:810

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SUPPLEMENTARY PLANNING GUIDANCE: NEWSTEAD CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN

Report by Director, Infrastructure & Environment

PLANNING AND BUILDING STANDARDS COMMITTEE

8 JANUARY 2024

1 PURPOSE AND SUMMARY

- 1.1 This report seeks adoption of the Newstead Conservation Area Appraisal and Management Plan as Supplementary Planning Guidance, following public consultation.**
- 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 may assist funding applications. They fulfil the Council's statutory duty to review its area for conservation area designation and to formulate proposals for their preservation and enhancement. Newstead CAA & MP is the first of a proposed programme for review of all 43 conservation areas in the Scottish Borders.
- 1.3 The Draft Newstead CAA & MP was subject to public consultation for a period of 12 weeks from 22nd May – 14th August 2023. A public meeting was held on 13th June. Nine comments were received in response to the consultation. These responses have been reviewed and used to inform a finalised CAA & MP. This finalised CAA & MP (Appendix A) is recommended for adoption as Supplementary Planning Guidance.

2 RECOMMENDATIONS

- 2.1 I recommend that the Planning & Building Standards Committee:-**
 - a) Adopt the Newstead Conservation Area Appraisal and Management Plan as Supplementary Planning Guidance to the Local Development Plan.
 - b) Authorise the Chief Planning Officer to monitor and review the CAA & MP and to make such minor revisions as are necessary during its lifetime to ensure that the document remains up-to-date and consistent with any change in local circumstances and with prevailing planning policy.

3 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 divided 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 that special character can be retained, whilst managing change. 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). Policy 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) advises that designation of a conservation area is a valuable tool in the protection of important areas, and that it should not be assumed that designation alone will secure protection and enhancement. PAN 71 states that “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 assist robust decision-making, under adopted Local Development Plan Policy EP9. They also help inform local communities, promote the heritage of the area, and can support potential future funding applications.
- 3.6 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.
- 3.7 The Newstead Conservation Area Appraisal and Management Plan proposed for adoption is the first in a programme of review for all 43 conservation areas in the Scottish Borders. The draft was approved for public consultation at Planning & Building Standards committee on 6th March 2023.

4 NEWSTEAD CAA & MP PUBLIC CONSULTATION

- 4.1 The draft Newstead Conservation Area Appraisal & Management Plan was subject to a 12 week public consultation. This included a community drop-in event and public meeting at Newstead Village Hall on 13th June. Residents, Newstead Village Community Trust, Melrose & District Community Council and other relevant stakeholders were notified of the consultation by email or letter. Posters were displayed in the area. The council's website, social media and a press release were used to advertise the consultation more widely. Hard copies of the report were available at Melrose Library and Council Headquarters. Comments were invited on the draft document via the Council's consultation portal, Citizen Space.
- 4.2 Nineteen people attended the drop-in event and public meeting, including Newstead residents and representatives from Newstead Village Community Trust.
- 4.3 Nine responses to the public consultation were received; seven from individuals living in Newstead and two from organisations (Melrose & District Community Council (MDCC) and Historic Environment Scotland (HES)).
- 4.4 Melrose & District Community Council and Historic Environment Scotland both welcomed the document. A number of themes arose in the consultation responses, including the application, robustness and benefit of conservation area status, future development, the importance of surrounding countryside, greenspaces and trees, availability of specialist tradespeople, and community engagement. A summary of comments received are set out in Appendix B, alongside the Council's response.
- 4.5 The consultation responses have informed the proposed final Newstead Conservation Area Appraisal and Management Plan (Appendix A). A text version of the document showing the changes made to the draft is included in Appendix C.

5 IMPLICATIONS

5.1 Financial

There are no costs attached to any of the recommendations contained in this report.

5.2 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. The CAA & MP will guide change and 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.

5.3 **Integrated Impact Assessment**

An Integrated Impact Assessment Scoping has been undertaken and a copy is included at Appendix D. The Newstead CAA & MP Supplementary Planning Guidance is not a strategic document. It provides additional guidance to support decision-making as part of the 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.

5.4 **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. The CAA & MP seeks to manage change to ensure a strong sense of place and quality environment is retained. It also provides advice on how to improve energy efficiency, install renewable energy technology and adapt to climate change whilst seeking to preserve and enhance 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.

5.5 **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. The document seeks to protect the area's unique character and sense of place, which is of benefit to heritage tourism and recreation. It includes guidance on how to protect and enhance biodiversity where relevant to the conservation area, and design guidance on how to improve energy efficiency, install renewable energy, adapt to climate change and install EV charging points whilst seeking to preserve and enhance the special architectural and historic interest of the conservation area.

5.6 **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).

5.7 **Data Protection Impact Statement**

There are no personal data implications arising from the proposals contained in this report.

5.8 **Changes to Scheme of Administration or Scheme of Delegation**

There are no changes to the Scheme of Administration or the Scheme of Delegation as a result of the proposals within this report.

6 CONSULTATION

6.1 The Director (Finance & Procurement), the Director (Corporate Governance), the Chief Officer Audit and Risk, the Director (People Performance & Change), the Clerk to the Council and Corporate Communications have been consulted and any comments received have been incorporated into the final report.

Approved by

Name:
John Curry

Title:
Director – Infrastructure & Environment

Author(s)

Name	Designation and Contact Number
Sanne Roberts	Heritage & Design Officer, heritage@scotborders.gov.uk , 01835 825139

Background Papers:

Appendix A – Proposed Newstead Conservation Area Appraisal and Management Plan.

Appendix B – Summary of Consultation Response.

Appendix C – Version showing proposed amendments from the consultation draft.

Appendix D - Integrated Impact Assessment Stage 1 Report.

Previous Minute Reference: Planning & Building Standards Committee Meeting, 6th March 2023

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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Newstead Conservation Area Appraisal & Management Plan 2024

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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 (LPAs) are responsible for designating conservation areas within their region. There are currently 43 conservation areas in the Scottish Borders.

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' of the 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.



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

- **Conservation Area Consent:** Buildings form a key element of the character of conservation areas and therefore consent is required for their demolition or substantial demolition.
- **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 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 character. 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 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 carrying out and adopting 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 special architectural and historic character of the area and helps inform 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 to preserve and enhance that character when changes

are being considered. This includes guidance to support measures to address climate change.

1.11 It is important to note that the range of considerations 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 Conservation Area Appraisal and Management Plan was subject to public consultation between 22nd May and 14th August 2023. It was adopted as Supplementary Planning Guidance (SPG) to the Council's adopted Local Development Plan on XXX. The SPG is a material consideration for planning applications within the conservation area, or affecting its setting.

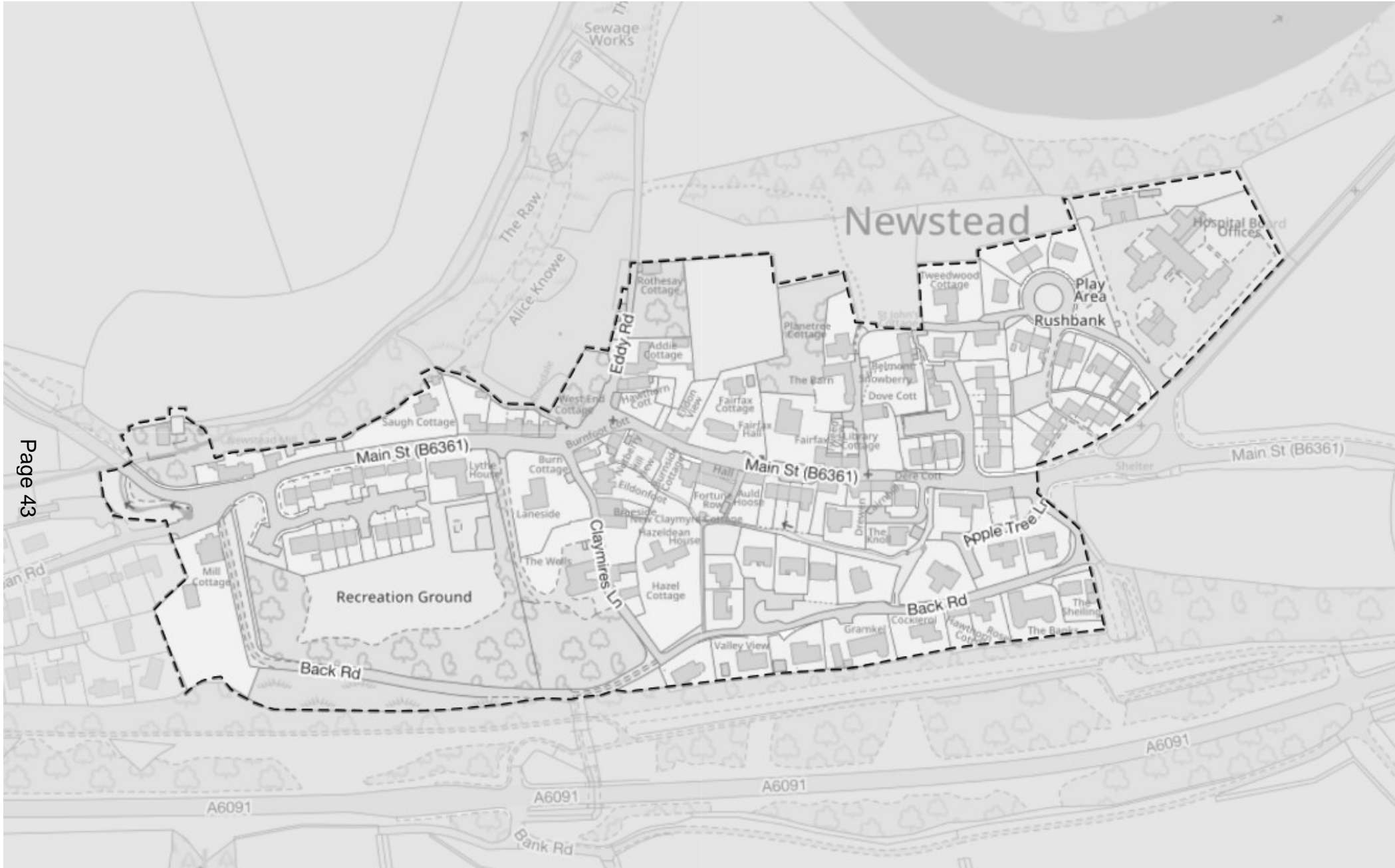


Fig. 2: Newstead Conservation Area Boundary

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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, trees, 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. Most date to the 18th and 19th centuries. 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. The special qualities that this area is designated for include its 'great landscape diversity', 'spectacular views' and 'rich array of historic buildings, structures and estates' (NatureScot Report 374, 2010). 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 streams, 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 plain and the village. To the northeast a steep escarpment physically separates the village and river (fig. 3). The underlying geology is formed of Silurian greywacke sandstone. Historic river sediments make up Old Red Sandstone deposits, whilst the nearby Eildon Hills are the remnants of volcanic activity. Fig. 4 shows the location, context and primary topographic features of the conservation area.

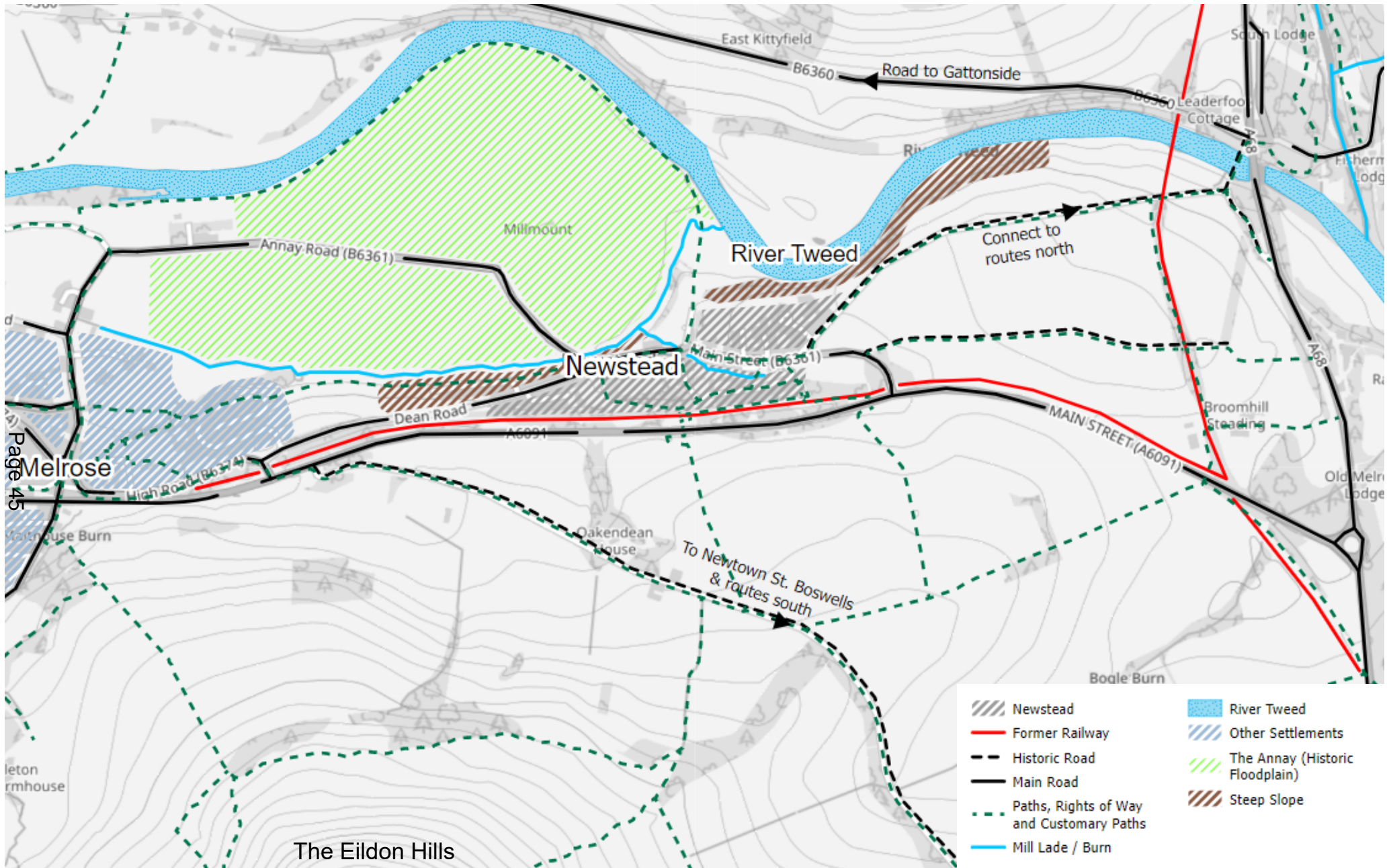


Fig. 4: Newstead Context and Topography

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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, Drygrange Old Bridge and Leaderfoot Railway Viaduct now mark the general location of the historic river 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

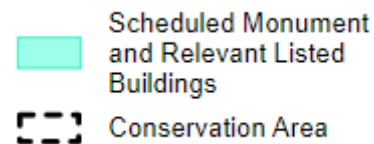
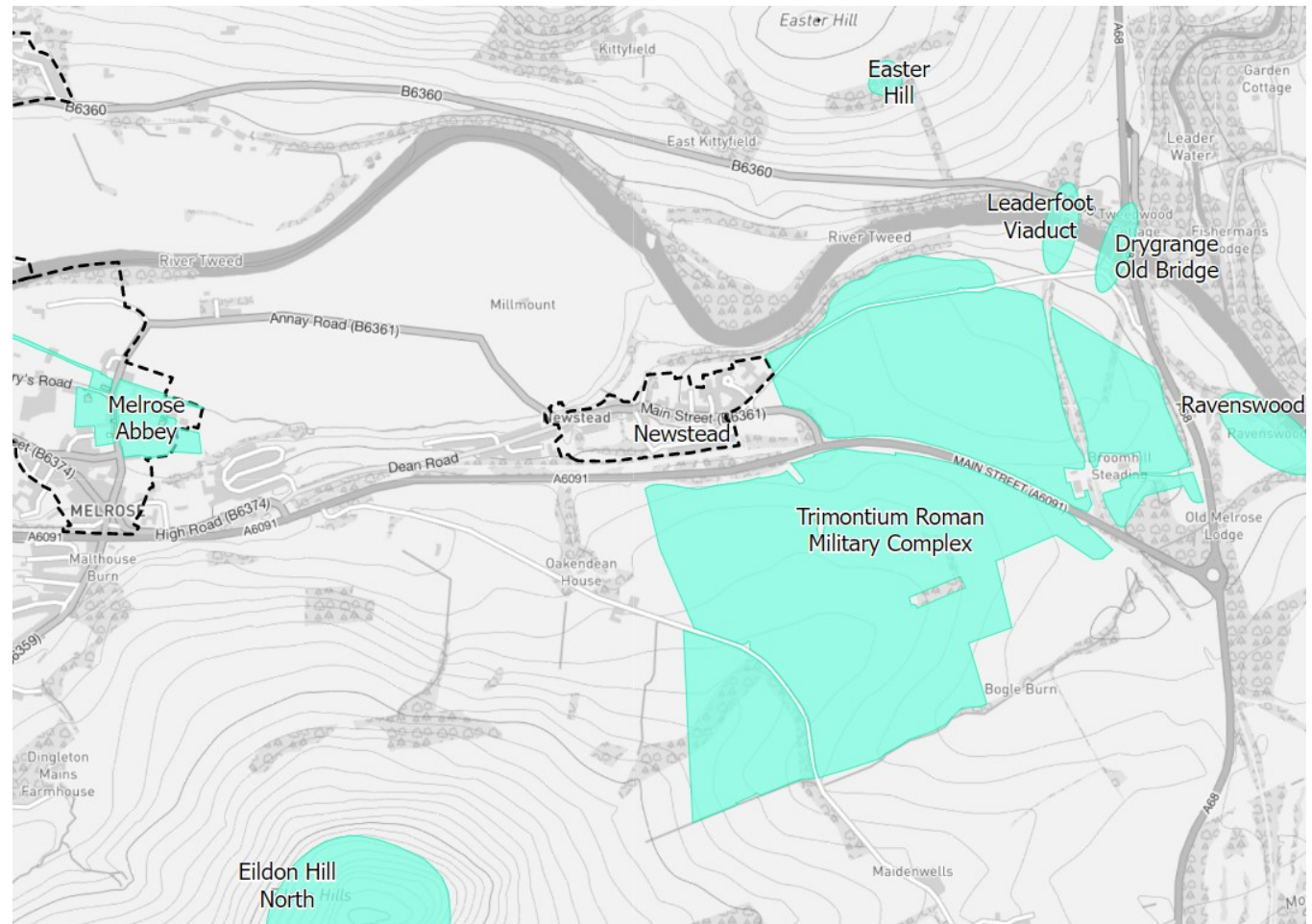


Fig. 5: Historic sites within the surrounding area which relate directly to the historic development of Newstead. They are now designated as Scheduled Monuments or Listed Buildings.

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lived in Newstead. Throughout the medieval and post medieval periods, the settlement continued as a notable centre for masons, with the trade passed from generation to generation through families. One of the first masonic lodges 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, at which point the population of Newstead was around 230 (from the New Statistical Account, dated 1845). 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). It shows the village's water-powered corn mill to the west. The associated Roxburghshire OS Name Book 1858-1860 (Volume 28) describes Newstead at this time as having a "mixed School House ... having an average attendance of about 60 [children] and wholly supported by the inhabitants; two public houses, several small grocers' shops, and three pretty cottage houses; the remainder of the houses are of a poor looking description." It identifies The Eddy as common land used for bleaching and drying clothes, and Alice Knowe as "a favourite playground for the Children of Newstead."

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



5.5 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).

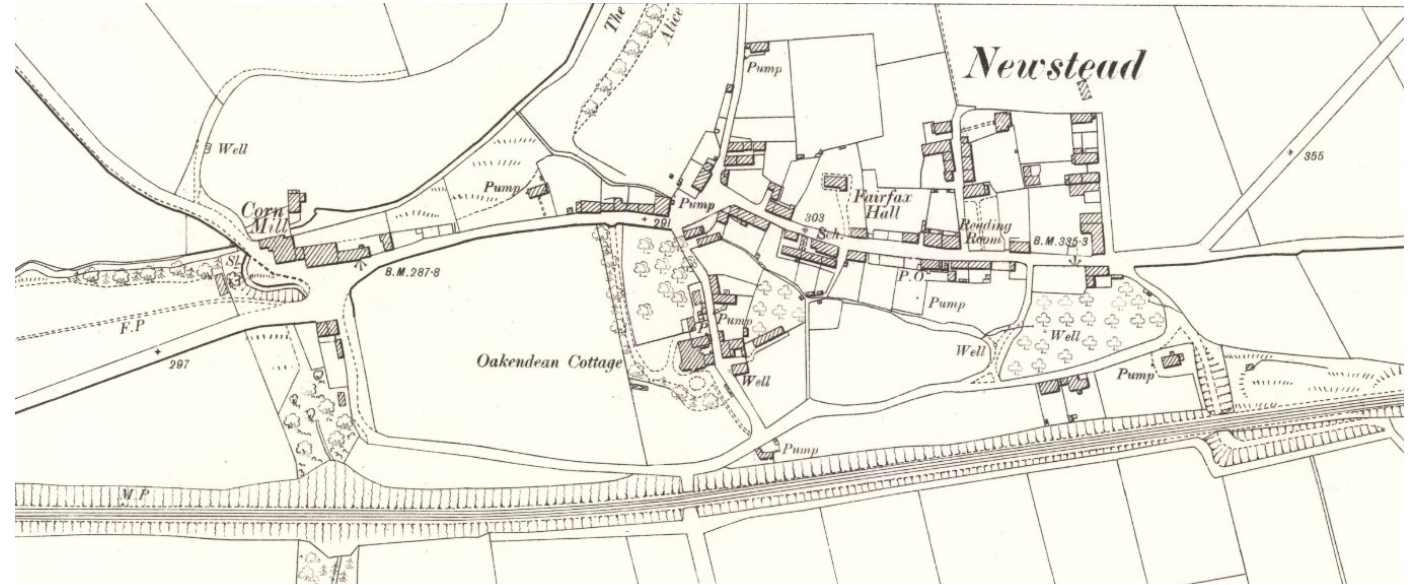
5.6 A hospital for infectious diseases was established in 1903 to the east end of the village (seen in fig. 10). Built to the designs of G. Monteith, it remains in use by the NHS. A number of individual houses and small housing estates have been constructed in the village in the late 20th and early 21st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



Fig. 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.

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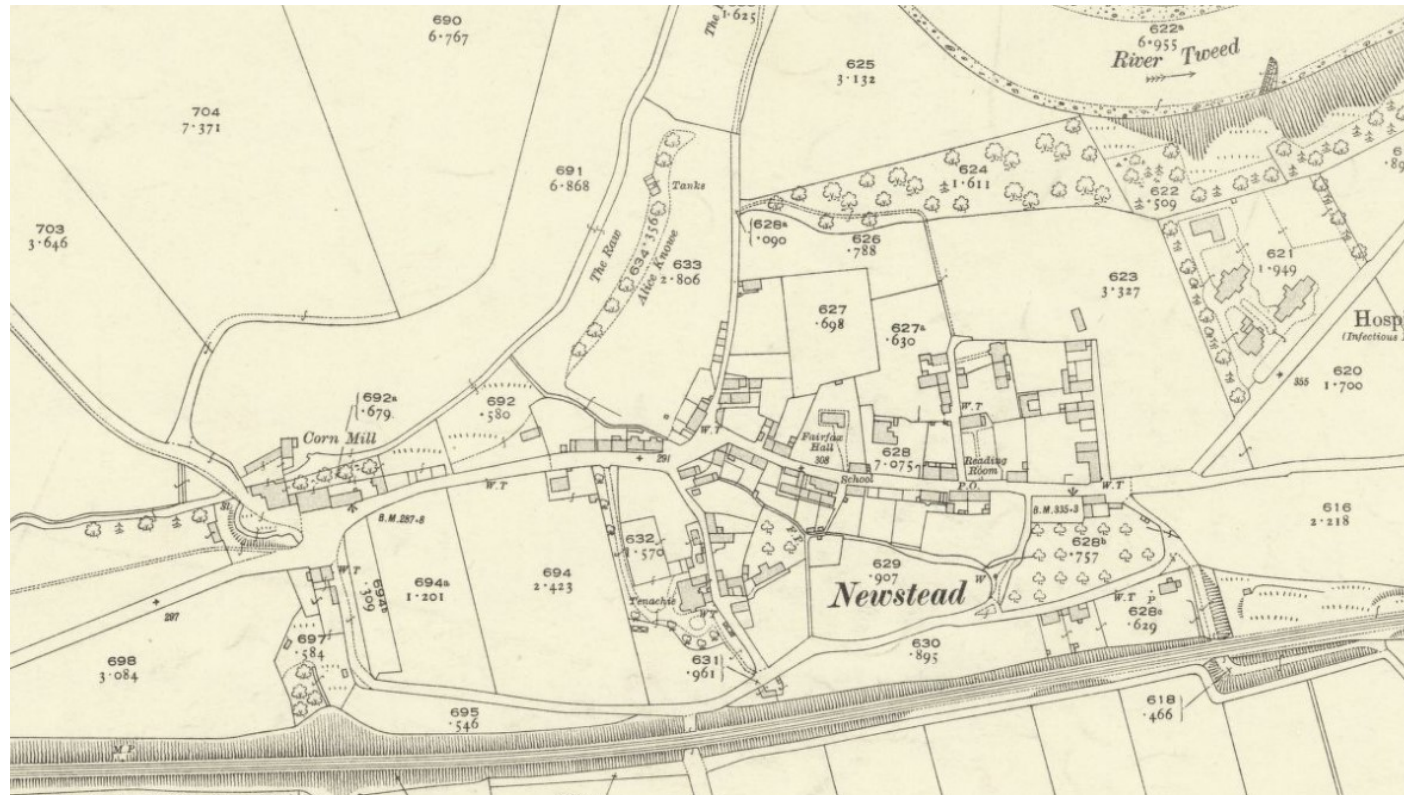
Fig. 9: Extract of the 2nd edition 25 Inch Ordnance Survey Map, surveyed 1897 and published 1899. Fairfax Hall and the reading room are now marked to the north of Main Street, with a number of pumps throughout the village.



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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 (known locally as the village green) which emphasise the junction in the streetscape. This is further accentuated by the presence of the village notice board, K6 telephone kiosk (see 6.8 below) 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.

6.7 There are a number of tall boundary walls in the area. Some of these walls retain evidence for previous buildings 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 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 evolved informally as a central green space in the village, now known as the village green, which helps emphasise this location as the village focus. A cherry tree is a



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

notable specimen located at its centre which contributes positively to the space and the streetscape.

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 former 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 which has a particularly significant streetscape presence in the village (fig. 12).

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.



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

6.13 Beyond the boundary of the conservation area, vegetation and trees 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.

6.14 The area between the village and the River Tweed (including North Field, Alice Knowe, The Raw and the Eddy/Yiddy) help establish the relationship between the village and the river. Eddy Road and Eddy Pool are the location of a previous north-south route, ford and fish-

ing ground, whilst surrounding areas were historically used to dry and bleach clothing. This adds historic significance to the relationship between the river and village in this area.

6.15 The vegetation and open spaces surrounding Newstead creates a rural setting to the village. Some of these important spaces and features are identified in fig. 14.

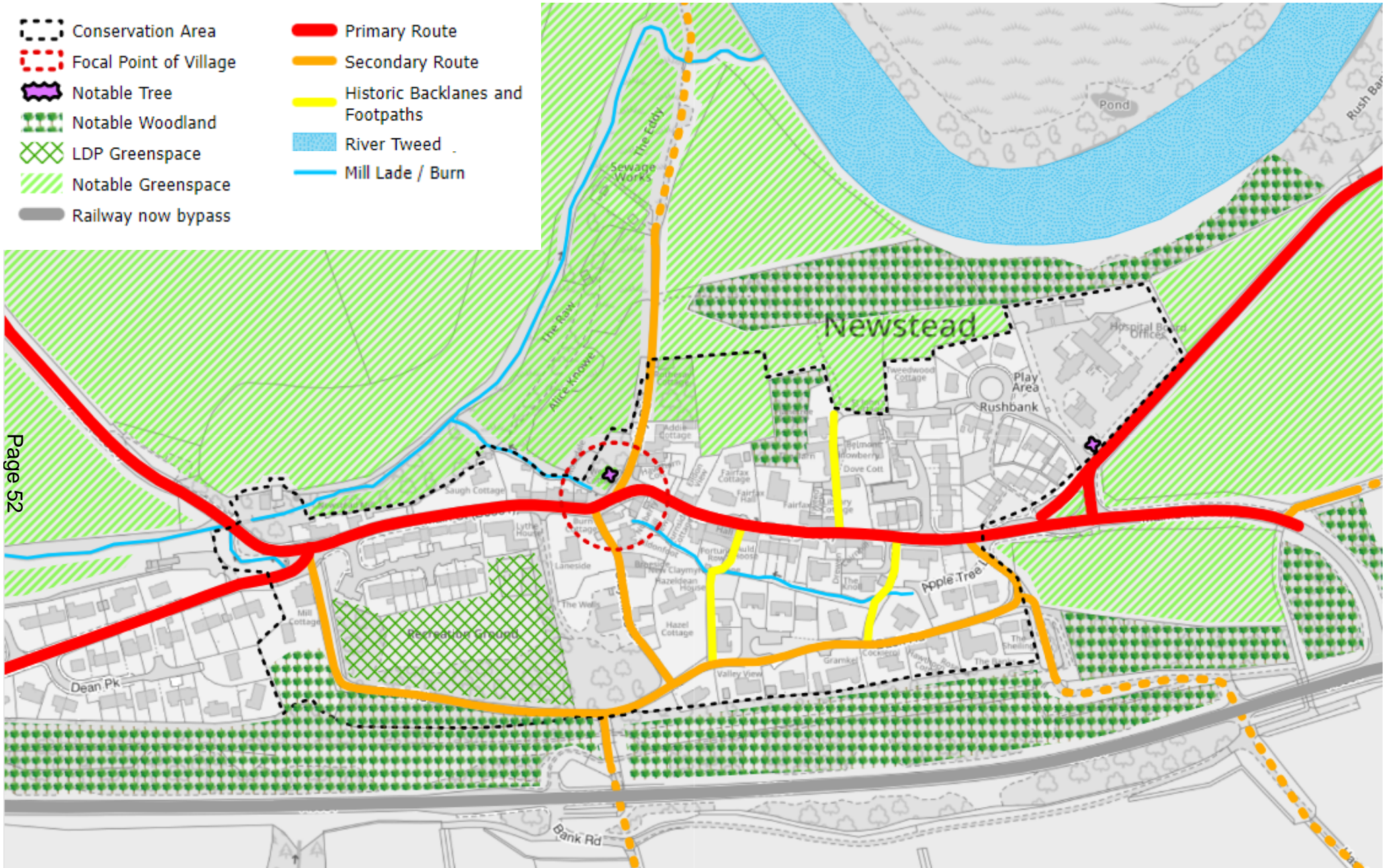


Fig. 14: Spatial Characteristics

Views and Landmarks

6.16 A number of types of important views have been identified, as shown in the following images (figs. 15-19). These include 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.

6.17 The Eildon Hills and River Tweed are significant natural landmarks.



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. 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 (fig. 20). 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) are set at some distance from the street. These are generally later insertions into the earlier tight urban grain. Their limited street presence provides a contrast to the village street.

7.4 Alongside the primary buildings of the conservation area, a number of ancillary structures are evident. These often comprise lower one storey elements attached to the main buildings (fig. 20), some with surviving coal chute openings. They contribute to the streetscape through emphasising the varied and stepping roofline. A number of stone and timber struc-

tures are also evident along Eddy Road and contribute to the character of the area, although some are in poor condition.

Architectural Contribution

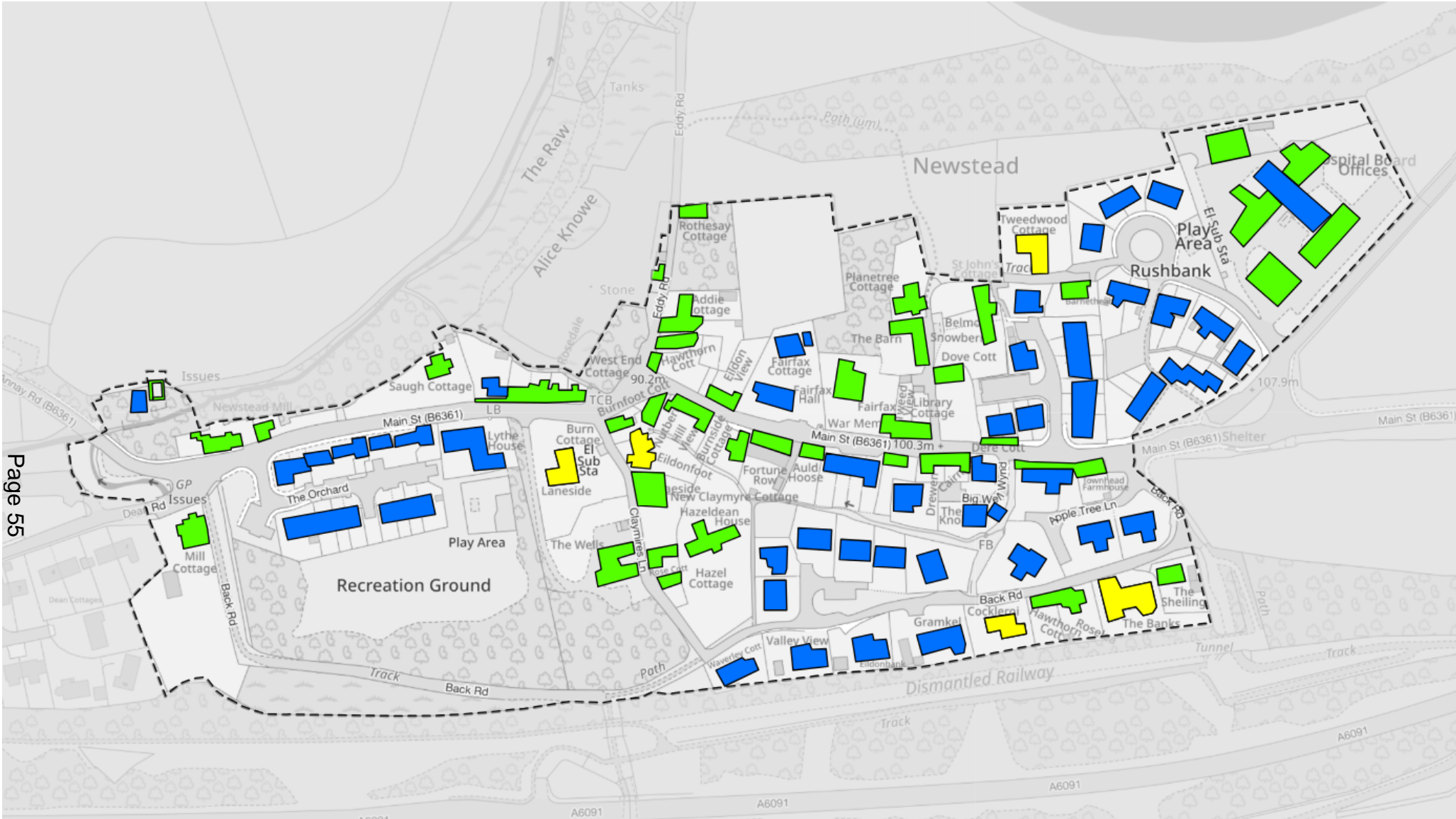
7.5 Many of the historic buildings contribute positively to the character of the conservation area. Other development makes a neutral contribution or at times is not in keeping with the character of the conservation area. The contribution each building makes to the character of the conservation area is identified in fig. 22 and further information is given below.

7.6 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, carved stones and sundials (fig. 21). The presence of sundials is noted in historic texts (Ross 1889, see Appendix A). Although some survive, unfortunately a number have now been lost.

Fig. 20 Buildings set at right angles to the street, stepping rooflines and ancillary structures within the streetscape.

Fig. 21 Carved Sundial.





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

Fig. 22: Architectural Contribution

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Building Types

7.7 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

7.8 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 and traditional in form, and use local materials and detailing.

7.9 The principal elevations to buildings in the conservation area are either well-proportioned formal frontages with regularly spaced openings (fig. 23), or more vernacular frontages with fewer and less regularly-spaced openings (fig. 24). The more vernacular detailing usually indicates an older building, whilst formal detailing tends to reflect later fashions from the late 18th and 19th centuries. Gable end elevations are prominent in the streetscape. They tend to incorporate chimney stacks and some limited fenestration (fig. 25). Some buildings, and particularly ancillary structures, have rounded or chamfered corners.

7.10 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. The clay tiles to number 23 Main Street are a notable exception to the predominant slate roofs in the village.



Fig. 23 (top): example of a well-proportioned, more formal frontage with regularly spaced openings. The door tends to be located centrally, with dormers located over windows to the outer bays only (if present).

Fig. 24 (centre): example of a more vernacular frontage with fewer, less regularly-spaced openings and simple detailing, reflecting older building traditions.



Fig. 25 (bottom): Gable end elevations are prominent in the conservation area. They tend to incorporate chimney stacks and some limited fenestration.

Historic Non-Domestic Buildings in the Conservation Area

7.11 Historically there were many types of non-domestic buildings in Newstead, including public houses, shops, farm buildings, a school, reading room and mission hall. Some of these buildings have been demolished, whilst the majority that survive have been converted to residential use. The buildings generally use vernacular forms, materials and detailing, similar to those for domestic houses as described in the section above. For some, however, their particular location, form and/or scale relates more directly to their original function and are more distinctive in the conservation area. These are described below.

7.12 A corn mill was built to the west of the village in the early 19th century, and was powered by water from the 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. 26). The mill buildings historically made use of the slope between Main Street and the mill lade.

7.13 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 at Apple Tree Close. 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. 27). The walls give a strong sense of enclosure to the street and to the farm's former orchard (now housing).

7.14 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. 28).

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

7.16 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. 26 to 28 (from top to bottom): Corn Mill, Townhead Farm, Melrose Infectious Diseases Hospital

Modern Development in the Conservation Area

7.17 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.

7.18 Some developments are nevertheless 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. Those that are less successful display uncharacteristic scale or forms, as well as non-traditional elevational treatment, such as their solid to void ratios, detailing or materials. Some of the more successful examples of modern development—and the main reasons for their success—are described below.

7.19 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, creating a strong building line and streetscape whilst also retaining spacious green space to the rear (fig. 29).

7.20 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. 30).

7.21 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. 31).

7.22 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.

7.23 Townhead Way has generally responded successfully to its village setting by using traditional forms, vernacular detailing and materials.

Fig. 29 (top): Eildon Housing Association development by Walter Wood Associated responds to the topography and urban grain of the area whilst using traditional forms and detailing.

Fig. 30 (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. 31 (bottom): Lythe House responds to the simple vernacular forms and detailing characteristic of the area.



Materials and Detailing

7.24 The following tables and images (figs. 32 to 52) 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 (32, 33, 37).
- Contrasting or matching coloured stone dressings (32, 34, 36).
- Light coloured harling without quoins, some with simple painted or stone window and door surrounds. Harling extends to ground level (36). Tall boundary walls (39). Evidence of historic features and previous buildings surviving as structures (34) and within boundary walls (35).
- Some carved stone re-used in walls.



Roofs

- Steeply pitched roofs (38, 41).
- A number of buildings were historically thatched (evident in particularly steep roof slopes and raised skews).
- Roofs are now predominantly small-sized Welsh slate with regular coursing and traditional lead ridge detailing (38-41).
- Simple eaves and verges, limited use of skews (41).
- Traditional-scale gabled dormers to buildings with more formal frontages. These are mostly set within the roof slope rather than crossing the eaves. Where present, they are aligned with windows below and set to the outer bays of the building only (40). Vernacular buildings with irregularly spaced windows generally do not have historic dormers. Some have a single small-scale cast iron rooflight.
- Chimneys to gable ends (38, 41, 42).
- Mono-pitched slated lean-to or cat slide roofs to historic ancillary buildings and extensions (42).
- Cast iron rainwater goods, painted in a dark colour or to match wall colour.



Windows

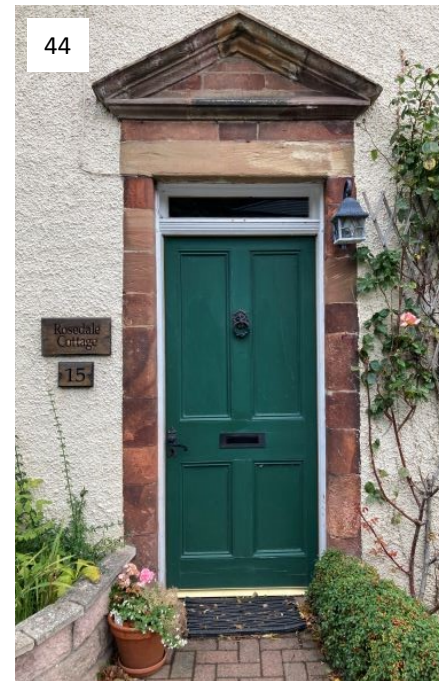
- Timber joinery.
- Sash and case windows, in a variety of styles including 6 over 6 panes (no horns) through to 1 over 1 panes (generally with horns) and occasional use of lying-in panes. The windows are set back from the front elevation with deep reveals (43, 46).

Doors

- Timber Joinery.
- Boarded doors to more vernacular cottages (45), and four panelled doors to more formally designed buildings (44). Panelled doors display a mixture of butt and bead designs and designs with mouldings.
- Simple transom lights (rectangular fanlights) above doors (44, 45).

Carved Stonework

- Carved sundials.
- Date stones.
- Carved pediments (44).
- Other carved stonework (47).



Roads and Paths

- Simple road finishes with limited line painting and limited formalised pavements or road edging (48-52).
- Some evidence of cobbles to house frontages (51).
- Some loose surfacing / gravel.
- Some secondary routes, back lanes and paths are unsurfaced (49).
- Some soft verges to the periphery of the village (48).

Soft Landscaping

- Mature beech trees, often overgrown hedgerow planted beech (49).
- Large-scale mature trees.
- High levels of trees, shrubs and hedging to public and private spaces (48).

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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, 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 can also erode this distinctive 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 surroundings as described previously. 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 and parking still impact Main Street's character.

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. 53).
4. Poor quality repairs such as repointing walls with cement mortar instead of lime-based mortar or use of uncharacteristic pointing techniques rather than traditional styles such as flush pointing. (fig. 54).
5. Addition of modern clutter where it is prominent in the streetscene, including satellite dishes, rooflights, renewable energy technologies, flues and pipework.



Figs. 53 and 54: over-scaled non-traditional dormer, and poor quality repairs to stone

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.



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 to form policy to preserve and enhance the special architectural and historic interest of the conservation area.

10.0 Conservation Area Boundary

10.1 The boundary of the conservation area is considered to reflect the area of Newstead that is of special architectural or historic interest.

10.2 Although outwith the boundary, the countryside around Newstead, and its connection to the Eildon Hills and River Tweed, makes an important 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 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 Information should be provided that explains how the proposal preserves or enhances the conservation area. This should include a description of the affected area and how that area currently 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 on the character of the conservation area should be identified.

11.8 Where a proposal would have an adverse impact on the character of the conservation area, it would be considered not 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 there is no less harmful alternative.

11.9 Further guidance on information requirements is available from the [Council's website](#).

12.0 Policy and Legislative Context

12.1 Planning 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 legislation for conservation areas is the [**Planning \(Listed Buildings and Conservation Areas\) \(Scotland\) Act 1997**](#). This sets out that—in exercising planning functions—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 (Section 64, para 1).

12.3 [**National Planning Framework \(2023\) \(NPF4\)**](#) places tackling the twin global climate and nature crises as overarching policies, and sets out further policies to help improve people’s lives by encouraging sustainable, liveable and productive places. The 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. NPF4 recognises the role of Scotland’s rich heritage, culture and outstanding environment in supporting our economy, identity, health and wellbeing.

12.4 Policy 7 of NPF4 includes policies for conservation areas:

- Part (d) states that development proposals in or affecting conservation ar-

reas will only be supported where the character and appearance of a 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 a 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 \(2016\) \(LDP\)**](#) 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 is currently under review. The [**proposed Local Development Plan**](#) is anticipated to be adopted in 2024 and will supercede the 2016 LDP.

12.8 National and local planning policy contains policies which cover a wide range 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 adopted [**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 SP9 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 and historic interest of the conservation area and should be retained. Historic boundary walls and ancillary structures that also contribute to the character of the conservation area should similarly be retained.

13.4 NPF4 Policies 9 and 12 encourage buildings to be re-used, with demolition being regarded as the least preferred option. This approach acknowledges best practice in responding to the climate crises

by recognising the impacts of embodied carbon and promoting circular economy principles.

13.5 Demolition of those buildings identified as neutral or not in keeping with the conservation area could, in principle, be accepted. However, in relation to NPF4 (Policy 12), options to alter, remodel or reconstruct should be considered in favour of demolition. Demolition of neutral buildings that are sensitively-designed modern development will be discouraged unless the proposed replacement scheme constitutes a significant improvement.

13.6 Where demolition is considered 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. Where possible materials should be salvaged and re-used in accordance with circular economy principles.

New Development in the Conservation Area

13.7 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.

13.8 Opportunities for further new development would primarily result from re-development of sites containing buildings that do not positively contribute to the special character of the conservation area and should be cognisant of advice regarding demolition above.

13.9 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.

13.10 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 buildings identified as making a positive contribution to the conservation area.
- Be of appropriate massing and scale for the context of the conservation area's both immediate and 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.
- Retain and incorporate surviving historic boundary walls and ancillary structures which contribute positively to the area.
- 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), Historic Environment Scotland's '[New Design in Historic Settings](#)' (2010) and other relevant guidance.



Fig. 55 Countryside beyond Newstead Conservation Area contributes to its setting

Extensions

13.11 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 existing (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.
- 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](#)' (2020).

Sheds and Ancillary Buildings

13.12 The character of Main Street and its arrangement of buildings and tall walls limits opportunities for the introduc-

tion 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.

13.13 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 de-

- development in the conservation area.
- Be discreet in the streetscape and do not detract from views into the conservation area.
- Enable the green and spacious character of the area—and any mature trees on the site—to be retained and enhanced.

Setting

13.14 The countryside beyond the conservation area boundary contributes to the rural character of the area (fig. 55). Some of these areas—for example the area between the village and river to the north, and the site of Trimontium Roman Military Complex—are of particular historic interest also. The countryside surrounding the village should be retained as open countryside. It would need to be demonstrated how any proposed development preserves or enhances the rural character of the conservation area.

13.15 Guidance is available from Historic Environment Scotland in their document '[Managing Change in the Historic Environment: Setting](#)' (2020).

Windows and Doors

13.16 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 mostly either timber panelled or ledged and braced. Their retention and like for like repair is strongly encouraged.



Fig. 56 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.

13.17 Historic Environment Scotland provide advice on the repair and maintenance of these items in their publications '[Short Guide: Sash and Case Windows](#)' (2008) and '[Inform Guide: External Timber Doors](#)' (2015).

13.18 The Council's '[Supplementary Planning Guidance for Replacement Win-](#)

[dows and Doors](#)' sets out further guidance and policy in this regard, including advice on secondary glazing, double glazing and paint colours.

Dormers and Rooflights

13.19 A number of historic dormer designs and styles are present to buildings with more formal frontages in the conservation area. They are mostly set within the roofslope 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 buildings of a vernacular style however do not have dormers.

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

13.21 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. 56).

13.22 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 conser-

vation 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

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

Cladding, Rendering and Painting

13.24 Unpainted stone should generally remain exposed within the conservation area, unless there is evidence that it was historically rendered with lime-based harling. 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.

13.25 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.

13.26 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.

13.27 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

13.28 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 skews to the roof, and traditional lead detailing—is replicated. Where enhancements to rainwater run-off to cope with increased extreme weather are required (please see Climate Resilience section below), they should be designed to reflect the historic arrangement as closely as possible.

13.29 In contrast to the remainder of the area, the roofscape to the former Isolation Hospital is particularly decorative, as befits an institutional building of this type and period. Bargeboards and other details to these buildings should be retained and repaired.

13.30 Guidance on '[Managing Change in the Historic Environment: Roofs](#)' is

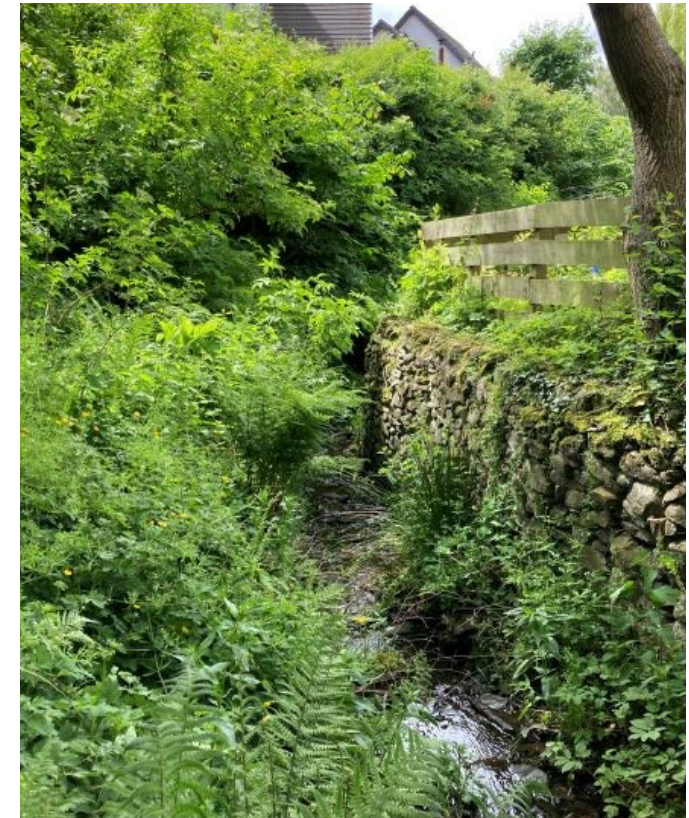


Fig. 57 Soft landscaping and watercourses contribute to the rural character and biodiversity of the area.

available from Historic Environment Scotland (2020).

Walls and Boundaries

13.31 High walls and walls incorporating evidence of previous features and structures are a prominent part of the conservation area, and contribute greatly to the character of Newstead. 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.

13.32 [‘Inform Guide: Domestic Boundary Walls’](#) available from Historic Environment Scotland (2008) provides guidance on walls and their maintenance.

Spaces, Trees and Biodiversity

13.33 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. 57). They also perform important roles in promoting climate resilience and biodiversity.

13.34 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, as this can compromise the tree’s lifespan.

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

13.36 Opportunities to incorporate discreet biodiversity enhancements are wel-



Figs. 58 and 59 Historic street furniture: Fingerpost, K6 Telephone Kiosk and Post Box

comed. 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, being modest in scale, and located to avoid harmful impacts on the character of the conservation area.

Roads and Hard Surfaces

13.37 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.

13.38 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 50mm) widths and conservation colours

(310 Primrose and 353 Deep Cream) as advised by the 'Traffic Signs Regulations and General Directions' (2016) and 'Traffic Signs Manual' (2006 as updated).

13.39 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.

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

Street Furniture and Signage

13.41 Historic items and those that contribute to the character of the area should be retained and kept in good condition. This includes the historic Melrose fingerpost, the K6 telephone kiosk, and adjoining post box (figs. 58 and 59).

13.42 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.

13.43 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

13.44 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 colour or colour designed to recede against its background, and should avoid disturbing any historic features or carved stone.

13.45 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

13.46 A ['Guide to Energy Retrofit of Traditional Buildings'](#) is available from Historic Environment Scotland (2021).

13.47 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.

13.48 Measures to improve the energy efficiency of properties within the conservation area will be supported, but should be designed with regard to the re-

quirement to preserve or enhance the character and appearance of the conservation area.

13.49 Properties 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 appropriate to historic properties in the conservation area.

13.50 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, re-using historic shutters, or installing new shutters where appropriate, can also provide significant thermal improvements. Secondary glazing should be installed to ensure it is not visible externally.

13.51 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 above and the 'Repair and Maintenance' section below for further information on this.

Renewable Energy

13.52 [‘Short Guide: Micro-Renewables in the Historic Environment’](#) (2014) and [‘Managing Change in the Historic Environment: Micro-Renewables’](#) (2020) from Historic Environment Scotland provide guidance on renewable energy options available and approaches to minimising impact on the historic environment.

13.53 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.

13.54 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.

13.55 Heat pumps should be located at a low level and be dark grey or black in colour, or appropriately coloured 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

Maintaining Breathability of Traditional Fabric

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

14.2 Traditional buildings (usually defined as pre-1919, although can apply to later buildings) were built using ‘breathable’ or ‘vapour open’ materials such as lime mortar, harling, and stone. These materials 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 which may lead to fabric failure. As such, traditional lime mortars, harling, paint and breathable (usually natural) insulation systems should be used.

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

14.4 [Further guidance on breathability and ventilation](#) is available on Historic Environment Scotland’s website.

Repair and Maintenance

14.5 Routine maintenance of buildings and boundary walls will help prolong their life, and the character of 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 roofs for loose slates, repainting and re-pointing. An annual survey is recommended or more frequent if there is an identified issue.

14.6 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 above). Repairs to slate roofs should be undertaken using natural slate to match the provenance, colour, texture, size, coursing and detailing of the existing roof.

14.7 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 are not recommended for historic buildings as it will affect breathability. The cause of the damp (which might be as simple as a leaking pipe), should be identified and resolved where possible. Additional measures such as French drains or ventilated dry-lining systems may in some

circumstances be necessary and should be designed to ensure moisture in the fabric can escape.

14.8 [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 in their ['Short Guide: Maintaining Your Home'](#) (2014).

14.9 Regular maintenance is also appropriate for managing public and privately owned trees and green spaces, as well as public realm and street furniture.

14.10 Advice on repairs can be provided by the Council's Heritage and Design Team.

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 is available from Historic Environment Scotland in their ['Short Guide: Climate Change Adaptation for Traditional Buildings'](#) (2017).

Reinstatement of Architectural Features

14.16 The architectural details that can be seen in Newstead - including windows, doors, chimneys, rainwater goods and boundary walls - contribute greatly to its character and appearance. The materials used were usually long-lasting (if regularly maintained) and from largely sustainable sources. Where these features have been lost in the past, sensitive reinstatement is encouraged.

Sundials and Other Carved Stonework

14.17 Sundials and carved stonework are a particularly distinctive feature of the area. Care should be taken to ensure all sundials and carved stones are retained in a secure position, remain uncovered and maintained in good repair.

14.18 Care should be taken to ensure the area surrounding the carved stone is also in good condition. Rainwater goods should be checked and kept in working condition to avoid excessive water running on to the stonework. If non-breathable finishes (usually cement-based) are applied to surrounding areas but not to the stone itself, moisture will get trapped under the cement and will try to escape the building fabric through the carved stone instead. This should be avoided as it will accelerate decay. Any stone repairs or repointing to surrounding stonework should be undertaken using like for like stone or suitable lime-based products as appropriate. Any repairs to carved stonework should be undertaken by specialists with experience of working with historic carved stone. Guidance on ['Care and Conservation of Carved Stone'](#) (2013) and a [register of relevant contractors](#) are available from The Institute of Conservation.

14.19 There is a potential opportunity to add to the rich history of the area through reinstatement or creation of new sundials, or other carved stonework, where appropriate.

Improved Access and Interpretation

14.20 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 updating and coordinating 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.

14.21 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 wayfinding, as well as promoting active travel links to Melrose.

14.22 Planning permission or advertisement consent may be required for interpretation and access projects. The Council can provide advice on the siting and design of any 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, or partial demolition, of 115 cubic metres or above, 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 an important 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. This includes information on the benefits of trees, their management and legislation.

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. 60). 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 (2016) and proposed Local Development Plan as Key Greenspace through policy EP11. The



Fig. 60 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.

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 (2016) and proposed Local Development Plan as countryside that should be protected and enhanced through policy EP6 (fig. 60).

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.

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/>
- View the entry for Newstead in the Roxburgh OS Name Book 1858-1860 (Volume 28) on Scotland's Places: <https://scotlandsplaces.gov.uk/digital-volumes/ordnance-survey-name-books/roxburghshire-os-name-books-1858-1860/roxburghshire-volume-28/191>
- View the entries for Newstead in the Old (1793) and new (1845) Statistical Accounts of Scotland: statac-cscot.edina.ac.uk/static/statacc/dist/home

- 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/>
- ICON Stonework Conservators: <https://www.icon.org.uk/resources/caring-for-your-collection/finding-a-conservator-you-can-trust.html>
- Building Conservation Directory provides details of specialists and contractors who work with historic buildings: <https://www.buildingconservation.com/>

Contact the Planning Service

- Use the following links:
 - To [view, comment on or object to a planning application](#). By registering on the online planning register, you can also set up alerts to be informed when the Council registers planning applications in your area.
 - For advice from the Council on specific proposals, please [submit a pre-application enquiry](#) to the Council.
 - To [report unauthorised building works and breaches in planning control](#).
- Contact the Planning Department: prs@scotborders.gov.uk
- Contact the Heritage and Design Team: heritage@scotborders.gov.uk

Other Sources of Planning Advice

- RTPI Chartered Planning Consultants: <https://www.rtpi.org.uk/membership/find-a-planning-consultant/>
- Planning Aid Scotland: <https://www.pas.org.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 or partial demolition of 115 cubic metres or above and most walls in conservation areas. [Further details regarding the requirements for consent](#) are set out on the Council's website.

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. Often decorative.

Supplementary Planning Guidance

(SPG): Adopted documents which provide information and guidance to supplement 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.

Newstead Conservation Area Appraisal & Management Plan: Supplementary Planning Guidance.

Appendix B - Summary of Consultation Response.

	Theme	SBC Response
A	<p>Concerns were raised that conservation status is ignored in new development, and that creeping changes are occurring in the conservation area. This includes public realm (e.g. road markings) as well as changes to buildings and their curtilage.</p>	<p>The CAA&MP is intended to raise awareness of the conservation area, its history and special character, and to provide guidance to help maintain that special character. It will be a material consideration for future planning applications, and provide greater robustness and clarity for managing future change.</p> <p>Alleged breaches in planning controls can be reported to the enforcement team for investigation. The CAA&MP has been amended to include a link to how to report alleged breaches to the enforcement team in the CAA&MP.</p>
B	<p>The countryside around Newstead was identified as being of particular importance to the village including particular reference to the areas to the north (between the village and the River Tweed) and how they can most appropriately be protected.</p>	<p>The land around Newstead is located within the 'Countryside Around Towns' (CAT) land as defined within Policy EP6 of the Local Development Plan 2016. The aim of this policy is to ensure that the identified CAT area and the high quality living environment it provides is protected and enhanced. The area is also part of the setting of the conservation area. The draft CAA&MP already emphasises the importance of these areas to the conservation area. Amendments have been made to further emphasise this, including the importance of areas to the north, and their contribution to the history of the village.</p>
C	<p>A number of respondents including MDCC considered there was very little, if any, land for future development within the Conservation Area. One comment raised concerns that the document would discourage development and change which a thriving community needs.</p>	<p>No new development sites are identified in the CAA&MP.</p> <p>The CAA&MP will be a material consideration for any future planning applications. The document is intended to manage change and to ensure any change responds to the character of the existing conservation area.</p>

D	<p>A concern was raised that conservation area status is being imposed on residents with a requirement to maintain higher standards. Question whether the Council will also take a similar approach to maintaining higher standards or providing enhanced services.</p>	<p>Newstead has been a conservation area since 1985, and there is no change to its status in this regard. The CAA&MP provides greater clarity on what this means and how the character can be preserved. Where changes or repairs are proposed in the conservation area, by the Council or any other party, the CAA&MP should be taken into account. More regular bin collections or other enhanced services fall outside the scope of this policy, which is concerned with planning matters.</p>
E	<p>The boundary of the existing LDP Key Greenspace was queried.</p> <p>A number of other LDP Key Greenspaces were proposed.</p>	<p>There was an error in the LDP Key Greenspace boundary shown which has been corrected.</p> <p>The identification of Key Greenspaces is not part of the CAA&MP consultation process. Key Greenspaces are identified through the Local Development Plan process and are protected through the application of Policy EP11: Protection of Greenspace. Policy EP11 provides protection to all greenspaces within settlements. Key Greenspaces are considered to be of the greatest value to the community and therefore receive the greatest protection. The Council will commence in due course the review of the Local Development Plan and this will allow the opportunity for Key Greenspaces to be reassessed.</p>
F	<p>Consultation responses (including HES) identified the variation in how well existing modern developments respond to the character of the conservation area, as well as the classification of buildings on the architectural contribution map.</p> <p>The use of an alternative colour to 'red' was advocated for buildings identified as not in keeping with the conservation area.</p>	<p>Amendments have been made to help explain how some modern developments respond more sensitively to the character of the conservation area.</p> <p>Those buildings marked 'red' on the architectural contribution map have been changed to 'yellow'.</p>

G	The importance of trees was highlighted, including all trees in the conservation area and particularly the cherry tree on the central green space known as the village green. Some concern was also raised on the maintenance of trees which may be obscuring views.	The importance of trees had already been highlighted in the draft CAA&MP. Amendments have been made to further reference this and further emphasise the council's Tree Policy (including appropriate tree management advice). The cherry tree has been added as a notable tree on the 'spatial characteristics' map and the text amended to reflect this.
H	Requests were made for additional information and guidance to be provided on sundials, ancillary structures, and boundary walls.	Further information and signposting to relevant guidance have now been included.
I	A concern was raised regarding restrictions on renewable energy. This response requested a commitment to working with the village on village-specific renewable energy initiatives.	The CAA&MP provides advice on how to incorporate measures for energy efficiency, micro renewables and climate resilience. The Heritage & Design Team (and other Council Officers where appropriate) are happy to provide heritage advice on any specific renewable energy initiatives being brought forward by the village, over and above the advice set out in the CAA&MP.
J	HES highlighted the relevance of policy 12 of NPF4, in relation to reducing waste and embodied carbon through minimising and avoiding demolition. HES advocated giving greater weight to altering and remodelling existing buildings in preference to demolition.	Amendments have been made to address this.
K	HES suggested further detail should be provided on the 18 th and 19 th century history of Newstead, given the majority of surviving buildings date to this period.	Additional information has been included to address this.
L	HES provided advice to improve clarity, usefulness and robustness of the document.	Amendments have been made to address this.

M	<p>Difficulties raised regarding finding appropriately qualified tradespeople, and the additional costs of ensuring the work is appropriate for the conservation area. Request for the council to commit to creating apprenticeships and training so local people are available at local rates, and for subsidies if having to use more expensive Edinburgh contractors in the meantime. This could be a useful initiative for the Borders region for creating jobs and conserving heritage areas.</p>	<p>A list of directories for Heritage Specialists and Contractors is provided in Appendix A of the CAA & MP to help find appropriately qualified tradespeople. These are directories available online from national bodies and are independent from the Council.</p> <p>National and local organisations including the Council are aware of skills shortages in the traditional construction sector and are working to address this. The Council works with the Scottish Borders Traditional Building Forum to develop traditional construction skills and experience across the region. The Council has also secured funding through a number of conservation area regeneration initiatives to deliver local training in traditional construction skills and encourage careers in conservation.</p>
N	<p>One respondent asked what can we do to make the village feel as though there is a benefit to them through CA status, rather than a cost?</p>	<p>Conservation area status provides greater protection to preserve and enhance the character and appearance of the area for current and future generations. This often makes them great places to live, including through their walkability, distinctive sense of place (contributing to sense of community and health & wellbeing), and economic contributions through tourism and house prices.</p> <p>There are opportunities for groups to strengthen community buy-in, develop greater understanding, and celebrate their unique heritage, for example through area improvements, events which encourage good repair and maintenance, heritage interpretation, trails or events. This is set out within the 'Improved Access and Interpretation' section of the Management Plan. The Heritage & Design Team would be happy to provide advice on any proposals should the community wish to bring them forward.</p>

O	<p>Comments requested community engagement to be genuine, and to use the appraisal process to include greater ways for communities to be part of the decision-making process. Local communities should be able to have their say on Council-led projects.</p> <p>It was requested that Newstead Village Community Trust (NVCT) are consulted on planning applications.</p>	<p>Public consultation has been undertaken as part of the appraisal process to inform the final document. Public comments can also be made on individual planning applications, in line with legislative process. Anyone can set up an alert for planning applications via the Council's planning register. Links and advice on this have been added to the CAA & MP appendix.</p> <p>NVCT can request that they are added to the list of consultees for applications that are of public interest in Newstead. Contact details will be sent to them for follow up.</p> <p>Consultation is undertaken on Council projects, through local elected Members, the community council, community groups and Citizen Space. The Council's Place Programme was set up to provide a useful mechanism for the community to develop their proposals and ideas with the Council and to encourage two way engagement.</p> <p>The Heritage & Design Team (and other Council Officers as appropriate) would be happy to engage with the community on any particular projects or proposals going forward.</p>
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Newstead Conservation Area Appraisal & Management Plan: Supplementary Planning Guidance.

Appendix C – Proposed Changes to Draft.

Newstead Conservation Area Appraisal & Management Plan 2024~~3~~

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 ([LPAs](#)) are responsible for designating conservation areas within their region. [The Scottish Borders](#) [There are](#) currently [have](#) 43 conservation areas [in the Scottish Borders](#).

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 of](#) 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 [or substantial demolition](#).
- **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 [character](#). 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 [carrying out and adopting 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 [special architectural and historic character of the area and helps inform 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 [to preserve and enhance that character when changes are being considered. change can happen in the area in a way that preserves and enhances that special character.](#) This includes guidance to support measures to address climate change.

1.11 It is important to note that the [range of considerations 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 feed back received as part of this consultation will be reviewed between 22nd May 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 14th August 2023. It was adopted~~ as Supplementary Planning Guidance (SPG) to the Council's adopted Local Development Plan ~~on XXXX~~. The SPG ~~will be~~ is a material consideration for planning applications within the conservation area, or affecting its setting.

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, [trees](#), 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. [Most date to the 18th and 19th centuries.](#) Of one to two storeys, they have traditional forms, detailing and materials. Tall walls define the streetscape, some retaining evidence of previous buildings.

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~~ [The special qualities that this](#) area is designated for [include](#) its 'great landscape diversity', '[spectacular views](#)', [including a](#) and 'rich array of historic buildings, structures and estates' ~~which characterise Borders settlement.~~ ([NatureScot Report 374, 2010](#)). 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 streams, 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 plain and the village. To the northeast a steep escarpment physically separates the village and river (fig. 3). The underlying geology is formed of Silurian greywacke sandstone. Historic river sediments make up Old Red Sandstone deposits, whilst the [nearby](#) Eildon Hills are the remnants of volcanic activity. Fig. 4 shows the location, [context](#) and primary topographic features of the conservation area.

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](#) ~~Old Bridge~~ and Leaderfoot Railway Viaduct now mark the general location of the historic [river](#) 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 medieval and post medieval periods, the settlement continued as a notable centre for masons, with the trade passed from generation to generation through families. [One of the first masonic lodges](#) 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-, [at which point the population of Newstead was around 230 \(from the New Statistical Account of Scotland, dated 1845\)](#). 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~~ [It shows the 19th century including a school and a village's water-powered corn mill- to the west. The associated Roxburghshire OS Name Book 1858-60 \(Volume 28\) describes Newstead at this time as having a "mixed School House ... having an average attendance of about 60 \[children\] and wholly supported by the inhabitants; two public houses, several small grocers' shops, and three pretty cottage houses; the remainder of the houses are of a poor looking description." It identifies The Eddy as common land used for bleaching and drying clothes, and Alice Knowe as "a favourite playground for the Children of Newstead"](#).

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.

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 ([known locally as the village green](#)) ~~which emphasise the junction in the streetscape. which adds visual and spatial emphasis.~~ This is further accentuated by the presence of the village notice board, K6 telephone kiosk ([see 6.8 below](#)) 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~~ [buildings](#) 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 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 tele-phone kiosk is a K6, designed by Sir Giles Gilbert Scott whilst the post box is a mod-ern 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, [now known as the village green](#), which helps emphasise this location as the village focus. A cherry tree is [a notable specimen](#) located at its centre [which contributes positively to the space and the streetscape](#).

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 [former](#) 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 [which has a particularly significant streetscape presence in the village](#) (fig. 12).

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 [and trees](#) 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 The area between the village and the River Tweed \(including North Field, Alice Knowe, The Raw and the Eddy/Yiddy\) help establish the relationship between the village and the river. Eddy Road and Eddy Pool are the location of a previous north-south route, ford and fishing ground, whilst surrounding areas were historically used to dry and bleach clothing. This adds historic significance to the relationship between the river and village in this area.](#)

[The vegetation and open spaces surrounding Newstead creates a rural setting to the village.](#) Some of these important spaces and features are identified in fig. 14.

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 [River](#) Tweed are significant natural landmarks ~~in the area.~~

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. [\(fig.\)](#). 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.

[These are generally later insertions into the earlier tight urban grain.](#) Their limited street presence provides a contrast to the village street.

[Alongside the primary buildings of the conservation area, a number of ancillary structures are evident. These often comprise lower one storey elements attached to the main buildings \(fig.\), some with surviving coal chute openings. They contribute to the streetscape through emphasising the varied and stepping roofline. A number of stone and timber structures are also evident along Eddy Road and contribute to the character of the area, although some are in a poor condition.](#)

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 contribution each building makes to the character of the conservation area is identified in fig. 23 [and further information is given below.](#)

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 [and sundials \(fig. X\).](#) ~~(figs. 20 to 22).~~ [The presence of sundials is noted in historic texts \(Ross 1889, see Appendix A\), The village is known for its historic sundials incorporated into buildings throughout the village. Some sundials still survive, although](#) ~~Although some survive,~~ unfortunately a number have now been lost.

Building Types

7.6 The buildings in the conservation area can be identified as historic domestic buildings, non-domestic buildings and mod-ern 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 [and traditional](#) 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 frontages](#) with regularly spaced openings (fig. 24), or more vernacular [facades frontages](#) with fewer and less regularly spaced openings (fig. 25). The more vernacular [facades detailing](#) usually indicates an older building, whilst formal [facades detailing](#) tends to reflect later fashions from the late 18th and 19th centuries. Gable [end](#) 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. [The clay tiles to number 23 Main Street are a notable exception to the predominant slate roofs in the village.](#)

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.~~

Historically there were many types of non-domestic buildings in Newstead, including public houses, shops, farm buildings, a school, reading room and mission hall. Some of these buildings have been demolished, whilst the majority that survive have been converted to residential use. The buildings generally use vernacular forms, materials and detailing similar to those for domestic houses as described in the section above. For some, however, their particular location, form and/or scale relates more directly to their original function and are more distinctive in the conservation area. These are described below.

7.11 A corn mill was built to the west of the village in the early 19th century, and was powered by water from ~~a surviving the~~ 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 at Apple Tree Close. 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 under-neath the railway. Dating to its construction in 1846, they present notable industrial survivals.

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 nevertheless 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. Those that are less successful display uncharacteristic scale or forms, as well as non-traditional elevational treatment, such as their solid to void ratio, detailing or materials. Some of the more successful examples of modern development – and the main reasons for their success – are described below.

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, creating a strong building line and streetscape whilst~~ [also](#) retaining spacious green space to the rear (fig. 30).

7.19 7 Main Street is an unusual ex-ample 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.

[Townhead Way has generally responded successfully to its village setting by using traditional forms, vernacular detailing and materials.](#)

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 ~~s~~ [eopings](#)).
- 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 skew (42).
- Traditional-scale gabled dormers to [buildings 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 [buildings 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).~~
- [Mono-pitched slated lean-to or cat slide roofs to historic ancillary buildings and extensions.](#)
- [Cast iron rainwater goods, painted in a dark colour or to match wall colour.](#)

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 Stonework](#)

- Carved sundials.
- [Date stones.](#)
- [Carved pediments \(45\).](#)
- [Other carved stonework \(48\).](#)
- ~~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).

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 can also erode this unique distinctive 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 surroundings as described previously context. Modern development is largely located to sit comfortably and relatively discreetly in the conservation area.

8.4 Although construction of the A6091 bypass has considerably reduced traffic levels in the village, signage, and parking and other modern paraphernalia still impact Main Street's 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, ex-tensions 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 rather than traditional styles such as flush pointing.
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.

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 [to form policy to toward](#) preserveing and enhanceing 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 [an important](#) 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.

- Changes should be managed in a way that protects the historic environment, and contributes to sustain-able 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) (LDP)** 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~~2024 and will supercede the 2016 LDP.

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

12.9 The Council has also adopted 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; Re-placement 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 pro-posed 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 and historic interest of the conservation area and should be retained. Historic boundary walls and ancillary structures that also contribute to the character of the conservation area should similarly be retained.

NPF4 Policies 9 and 12 encourage buildings to be reused, with demolition being regarded as the least preferred option. This approach acknowledges best practice in responding to the climate crises by recognising the impacts of embodied carbon and promoting circular economy principles.

13.4 Demolition of those buildings identified as neutral or not in keeping with the conservation area could, in principle, be accepted. However, in relation to NPF4 (Policy 12), options to alter, remodel or reconstruct should be considered in favour of demolition. Demolition of neutral buildings that are

sensitively-designed modern development will be discouraged unless the proposed replacement scheme constitutes a significant improvement.

Where demolition is considered 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.~~

Where possible materials should be salvaged and reused in accordance with circular economy principles.

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 ~~and should be cognisant of advice regarding demolition above.~~

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 identified as making a positive contribution to ~~in~~ the conservation area.
- Be of appropriate massing and scale for the context of the conservation area's 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.
- Retain and incorporate surviving historic boundary walls and ancillary structures which contribute positively to the area.
- 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) and other relevant guidance.

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 [existing \(host\) building](#). In most cases this will require the extension to remain subservient to the host building.
- Respond to the character of the host building.
- 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 \(2020\)](#).

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.

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 [do not detract](#) from views into the conservation area.
- Enable the green and spacious character of the area—and any mature trees on the site—to be [retained 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~~[Some of these areas – for example the area between the village and river to the north, and the site of Trimontium Roman Military Complex – are of particular historic interest also. The countryside surrounding the village](#) should be retained as open countryside. ~~Any proposed development in the setting of the conservation area~~ [It](#) would need to ~~be~~ demonstrated how [any proposed development](#) ~~it~~ preserves or enhances the rural character of the conservation area.

13.13 Guidance ~~on Setting~~ is available from Historic Environment Scotland [in their document 'Managing Change in the Historic Environment: Setting' \(2020\)](#).

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 [mostly](#) 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 [these items in their publications 'Short Guide: Sash and Case Windows'](#) (2008) and ['Inform Guide: External Timber 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 [and paint colours](#).

Dormers and Rooflights

13.17 A number of historic dormer designs [and styles](#) are present to [buildings cottages](#) with more formal [facades frontages](#) 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 [buildings cottages](#) of a vernacular style however do not have dormers.

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

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 [townscape-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 [with lime-based harling](#). 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 skewed copings to the roof, and traditional lead detailing—is replicated. Where enhancements to [rainwater discharge run-off to cope with increased extreme weather](#) 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, [as befits an institutional building of this type and period](#). 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, [and contribute greatly to the character of Newstead](#). 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.

[‘Inform Guide: Domestic Boundary Walls’ available from Historic Environment Scotland \(2008\): <https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=c28d6be5-ca16-43ed-92e9-a59500b5b10e> provides guidance on walls and their maintenance.](#)

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 [as this can compromise the tree’s lifespan](#).

13.32 Planting new trees in gardens and along boundaries, as well as small-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, [being](#) modest [in](#) 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 50mm) widths and conservation colours (310 Primrose and 353 Deep Cream) as advised by the '[Traffic Signs Regulations and General Directions 2016](#)' and '[Traffic Signs Manual](#)' (2006 as updated).

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 condition. 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 ~~colour or 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~~ '[A Guide to 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~~ [Properties](#) 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 appropriate to historic properties in the conservation area.

13.47 There are many ways to up-grade 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, [or installing new shutters where appropriate](#), can also provide significant thermal improvements. Secondary glazing should be installed to ensure it is not visible externally.

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 [above](#) 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~~ ['Short Guide: Micro-Renewables in the Historic Environment' \(2014\)](#) and ['Managing Change in the Historic Environment: Micro-renewables' \(2020\)](#) ~~options is available~~ from Historic Environment Scotland [provide guidance on renewable energy options available and approaches to minimising impact on the historic environment](#).

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 with-in 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 [or appropriately coloured](#) 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

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 buildings (usually defined as pre-1919, although can apply to later buildings) were built using 'breathable' or 'vapour open' materials such as lime mortar, harling, and stone. These materials 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 which may lead to fabric failure. 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 around the building 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 on Historic Environment Scotland's website.

Repair and Maintenance

14.1 Routine maintenance of buildings and boundary walls will help prolong their life, and the life character 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 roofs for 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 above). 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 is not recommended for historic buildings as it will affect breathability. should be avoided. The cause of the damp (which might be as simple as a leaking pipe), should be identified and resolved where possible. Additional measures such as French drains or ventilated dry-lining systems may in some circumstances be necessary and should be designed to ensure moisture in the fabric can escape. 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 in their 'Short Guide: Maintaining Your Home' (2014).

14.5 A similar approach of rRegular maintenance is also appropriate for man-aging public and privately owned trees and green spaces, as well as public reamrealm 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 re-quired 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 in-crease soft landscaping, permeable surfaces, trees and vegetation. Hard surfaces ad-jacent 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 [in their 'Short Guide: Climate Change Adaptation for Traditional Buildings' 2017](#)
<https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=a0138f5b-c173-4e09-818f-a7ac00ad04fb> (2017).

[Reinstatement of Architectural Features and Sundials](#)

14.16 The architectural details that can be seen in Newstead - including windows, doors, chimneys, [rainwater goods](#) and boundary walls - ~~contributes~~[contribute](#) greatly to its character and appearance. [The materials used were usually long-lasting \(if regularly maintained\) and from largely sustainable sources.](#) Where these features have been lost in the past, ~~owners are encouraged to consider sensitive reinstatement.~~ [is encouraged.](#)

[Sundials and Other Carved Stonework](#)

14.17 Sundials and carved stonework are a particularly [distinctive 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.~~ [in a secure position, remain uncovered, and maintained in good repair.](#)

[Care should be taken to ensure the area surrounding the carved stone is also in good condition. Rainwater goods should be checked and kept in working condition to avoid excessive water running on to the stonework. If non-breathable finishes \(usually cement-based\) are applied to surrounding areas but not the stone itself, moisture will get trapped under the cement and will try to escape the building fabric through the carved stone instead. This should be avoided as it will accelerate decay.](#)

[Any stone repairs or repointing to surrounding stonework should be undertaken using like for like stone or suitable lime-based products as appropriate. Any repairs to carved stonework should be undertaken by specialists with experience of working with historic carved stone. Guidance on 'Care and Conservation of Carved Stone' \(2013\) and a register of relevant contractors are available from The Institute of Conservation:](#)

<https://www.icon.org.uk/resources/caring-for-your-collection/caring-for-your-treasures.html>

<https://www.icon.org.uk/resources/caring-for-your-collection/finding-a-conservator-you-can-trust.html>

There is a potential opportunity to add to the rich history of the area through reinstatement or creation of new sundials, [or other carved stonework](#), 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 updating 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 wayfinding, as well as promoting active travel links to Melrose.

14.20 [Planning permission or advertisement consent may be required for interpretation and access projects. The Council can provide advice on the siting and design of any such proposals. 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, [or partial demolition, of above](#) 115 cubic metres [or above](#), 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 an [important-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. [This includes information on the benefits of trees, their management and legislation.](#)

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 pro-mote 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 re-mains 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 [\(2016\) and proposed 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 [\(2016\) and proposed 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.

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/>
- [View the entry for Newstead in the Roxburgh OS Name Book 1858-1860 \(Volume 28\) on Scotland's Places: https://scotlandsplaces.gov.uk/digital-volumes/ordnance-survey-name-books/roxburghshire-os-name-books-1858-1860/roxburghshire-volume-28/191](https://scotlandsplaces.gov.uk/digital-volumes/ordnance-survey-name-books/roxburghshire-os-name-books-1858-1860/roxburghshire-volume-28/191)
- [View the entries for Newstead in the Old \(1793\) and New \(1845\) Statistical Accounts of Scotland: stataccscot.edina.ac.uk/static/statacc/dist/home](http://stataccscot.edina.ac.uk/static/statacc/dist/home)
- 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) 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/>
- [ICON Stonework Conservators: https://www.icon.org.uk/resources/caring-for-your-collection/finding-a-conservator-you-can-trust.html](https://www.icon.org.uk/resources/caring-for-your-collection/finding-a-conservator-you-can-trust.html)
- Building Conservation Directory provides details of specialists and contractors who work with historic buildings: <https://www.buildingconservation.com/>

Contact the Planning Service

- [Use the following links:](#)
- [Contact the Planning Department:](#) [https://www.scotborders.gov.uk/site/xfp/scripts/xforms_form.php?formID=108&language=en-~~or~~](https://www.scotborders.gov.uk/site/xfp/scripts/xforms_form.php?formID=108&language=en-or) [To view, comment on or object to a planning application:](#) https://www.scotborders.gov.uk/info/20050/planning_applications/531/comment_on_or_object_to_a_planning_application [By registering on the online planning register, you can also set up alerts to be informed when the Council registers planning applications in your area.](#)
- 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

- [To report unauthorised building works and breaches in planning control: https://www.scotborders.gov.uk/info/20050/planning_applications/534/planning_enforcement](https://www.scotborders.gov.uk/info/20050/planning_applications/534/planning_enforcement)
- [Contact the Planning Department: prs@scotborders.gov.uk](mailto:prs@scotborders.gov.uk)
- [Contact the Heritage and Design Team: heritage@scotborders.gov.uk](mailto:heritage@scotborders.gov.uk)

Other Sources of Planning Advice

- [RTPI Chartered Planning Consultants: https://www.rtpi.org.uk/membership/find-a-planning-consultant/](https://www.rtpi.org.uk/membership/find-a-planning-consultant/)
- [Planning Aid Scotland: https://www.pas.org.uk/](https://www.pas.org.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 or partial demolition of above](#)-115 cubic metres [or above](#) 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. [Often decorative.](#)

Supplementary Planning Guidance (SPG): Adopted documents which provide information and guidance to supplement 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.

Integrated Impact Assessment (IIA)

Stage 1 Scoping and Assessing for Relevance

Section 1 Details of the Proposal

A. Title of Proposal:	Newstead Conservation Area Appraisal & Management Plan Supplementary Planning Guidance
B. What is it?	A new Policy/Strategy/Practice <input checked="" type="checkbox"/> X A revised Policy/Strategy/Practice <input type="checkbox"/>
C. Description of the proposal: (Set out a clear understanding of the purpose of the proposal being developed or reviewed (what are the aims, objectives and intended outcomes, including the context within which it will operate)	<p>The Newstead Conservation Area Appraisal and Management Plan (CAA&MP) aims to identify the special architectural and historic interest of the conservation area and provide guidance on its management.</p> <p>The CAA&MP is intended to provide clarity in the planning process, provide robust decision-making, inform local communities, promote the heritage of the area, and assist funding applications. It fulfils the Council's statutory duty, under s.62 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. This provision of the Act allows planning authorities to review its area for conservation area designation and formulate proposals for their preservation and enhancement from "time to time". It supports Policy EP9 of the adopted Local Development Plan (LDP) (2016) and emerging LDP2.</p>

D. Service Area: Department:	Infrastructure and Environment Planning, Housing & Related Services
E. Lead Officer: (Name and job title)	Deborah McLean, Lead Officer, Heritage & Design
F. Other Officers/Partners involved: (List names, job titles and organisations)	Sanne Roberts, Heritage & Design Officer Trish Connolly, Planning Officer
G. Date(s) IIA completed:	02/11/2023

Section 2 Will there be any impacts as a result of the relationship between this proposal and other policies?

No
If yes, - please state here:

Section 3 Legislative Requirements

3.1 Relevance to the Equality Duty:
Do you believe your proposal has any relevance under the Equality Act 2010? No

Equality Duty	Reasoning:
A. Elimination of discrimination (both direct & indirect), victimisation and harassment. <i>(Will the proposal discriminate? Or help eliminate discrimination?)</i>	
B. Promotion of equality of opportunity? <i>(Will your proposal help or hinder the Council with this)</i>	
C. Foster good relations? <i>(Will your proposal help to foster or encourage good relations between those who have different equality characteristics?)</i>	

3.2 Which groups of people do you think will be or potentially could be, impacted by the implementation of this proposal? (You should consider employees, clients, customers / service users, and any other relevant groups)				
Please tick below as appropriate, outlining any potential impacts on the undernoted equality groups this proposal may have and how you know this.				
	Impact			Please explain the potential impacts and how you know this
	No Impact	Positive Impact	Negative Impact	
Age Older or younger people or a specific age grouping	X			
Disability e.g. Effects on people with mental, physical, sensory impairment, learning disability, visible/invisible, progressive or recurring	X			

Gender Reassignment/ Gender Identity anybody whose gender identity or gender expression is different to the sex assigned to them at birth	X			
Marriage or Civil Partnership people who are married or in a civil partnership	X			
Pregnancy and Maternity (refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth),	X			
Race Groups: including colour, nationality, ethnic origins, including minorities (e.g. gypsy travellers, refugees, migrants and asylum seekers)	X			
Religion or Belief: different beliefs, customs (including atheists and those with no aligned belief)	X			
Sex women and men (girls and boys)	X			
Sexual Orientation , e.g. Lesbian, Gay, Bisexual, Heterosexual	X			
<p>3.3 Fairer Scotland Duty</p> <p>This duty places a legal responsibility on Scottish Borders Council (SBC) to actively consider (give due regard) to how we can reduce inequalities of outcome caused by socioeconomic disadvantage when making <u>strategic</u> decisions.</p> <p>The duty is set at a strategic level - these are the key, high level decisions that SBC will take. This would normally include strategy documents, decisions about setting priorities, allocating resources and commissioning services.</p>				

<p>Is the proposal strategic?</p> <p>No</p> <p>If No go to Section 4</p>				
<p>If yes, please indicate any potential impact on the undernoted groups this proposal may have and how you know this:</p>				
	Impact			State here how you know this
	No Impact	Positive Impact	Negative Impact	
<p>Low and/or No Wealth – enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future.</p>				
<p>Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure and hobbies</p>				
<p>Area Deprivation – where you live (e.g. rural areas), where you work (e.g. accessibility of transport)</p>				

Socio-economic Background – social class i.e. parents’ education, employment and income				
Looked after and accommodated children and young people				
Carers paid and unpaid including family members				
Homelessness				
Addictions and substance use				
Those involved within the criminal justice system				

3.4 Armed Forces Covenant Duty (*Education and Housing/ Homelessness proposals only*)

This duty places a legal responsibility on Scottish Borders Council (SBC) to actively consider (give due regard) to the three matters listed below in Education and Housing/ Homelessness matters.
This relates to current and former armed forces personnel (regular or reserve) and their families.

Is the Armed Forces Covenant Duty applicable?
Yes/ No

If “Yes”, please complete below

Covenant Duty	How this has been considered and any specific provision made:
The unique obligations of, and sacrifices made by, the armed forces;	
The principle that it is desirable to remove disadvantages arising for Service people from membership, or former membership, of the armed forces;	
The principle that special provision for Service people may be justified by the effects on such people of membership, or former membership, of the armed forces.	

Section 4 Full Integrated Impact Assessment Required

Select No if you have answered “No” to all of Sections 3.1 – 3.3.

No

If yes, please proceed to Stage 2 and complete a full Integrated Impact Assessment

If a full impact assessment is not required briefly explain why there are no effects and provide justification for the decision.

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. The Newstead Conservation Area Appraisal and Management Plan 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.

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Signed by Lead Officer:	D. McLean
Designation:	Lead Officer, Heritage & Design
Date:	06/11/2023
Counter Signature Director:	J. Curry
Date:	20-12-23

PLANNING APPEALS & REVIEWS

Briefing Note by Chief Planning & Housing Officer

PLANNING AND BUILDING STANDARDS COMMITTEE

8th January 2024

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

Nil

- 2.2 Enforcements

Nil

- 2.3 Works to Trees

Nil

3 APPEAL DECISIONS RECEIVED

- 3.1 Planning Applications

Nil

- 3.2 Enforcements

- 3.2.1 Reference: 23/00041/ADVERT
Proposal: Erection of Advert on Gable
Site: 2 Gladstone Street, Hawick
Appellant: Katrina Yule

Reason for Notice: An advertisement has been installed at the property situated upon the Land Affected on the elevation facing The Loan, Hawick. The advertisement does not benefit from deemed consent under the Town and Country Planning (Control of Advertisement)(Scotland) Regulations

1984, failing under Class IV. The installed advertisement has not been subject to an advertisement consent application for express consent.

Grounds of Appeal: The notice was issued on the grounds set out in Class IV.1.1 of the Town and Country Planning (Control of Advertisement)(Scotland) Act 1984 which stipulates that an advertisement cannot be affixed to a wall of a shop unless that wall contains a shop window. The appellant is of the view that there are indeed windows in the wall to which the advertisement is affixed. Three windows in the wall in question.

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

Method of Appeal: Written Representations

Method of Appeal: Written Representations & Site Visit

Reporter's Decision: Sustained

Summary of Decision: The Reporter, Rob Huntley, noted during his site visit that the walls fronting Gladstone Street and Myreslaw Green have street-facing display windows. The appeal advertisement is not displayed on any of the street-facing walls but is positioned on the southeast facing wall of the building which runs back at approximately right-angles from Beaconsfield Terrace. This wall does not contain a window. The appellant points out that the wall on which the advertisement is displayed contains a glazed door, which gives access to the shop and should therefore be regarded as a shop window for the purposes of Class IV(1) of Schedule 4 to the Regulations. Although there is no explicit definition of "shop window" in the Regulations, I consider that the term implies more than simply a window in a building used as a shop. The presence of a degree of display, related to the goods or services available in or supplied from the shop, is, the reporter feels, necessary for a window to be encompassed by the term shop window. The reporter concluded that content is required to authorise the display of the appeal advertisement and therefore dismissed the appeal.

[Please see the DPEA Website for the full Appeal Decision Notice](#)

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 18th December 2023. This relates to a site at:

• Land East of Kirkwell House, Preston Road, Duns	•
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5 REVIEW REQUESTS RECEIVED

5.1 Reference: 22/00532/PPP
Proposal: Erection of dwellinghouse
Site: Land West of The Garden House, Brieryyards, Hornshole Bridge, Hawick

Appellant: Mr Michael Johnson

Reasons for Refusal: 1. The proposed development would be contrary to Policy HD2 of the Scottish Borders Local Development Plan 2016, New Housing in the Borders Countryside Supplementary Planning Guidance and Policy 17 of National Planning Framework 4 in that the site does not form part of an existing building group of at least three houses or buildings currently in residential use, or capable of conversion to residential use and it has not been adequately demonstrated that the proposed house is a direct operational requirement to support an established rural business or other enterprise at this location. This would lead to an unsustainable form of development which would have a detrimental impact on the character and amenity of the rural area. This conflict with the development plan is not overridden by any other material considerations. 2. The development is also contrary to policy PMD2 of the Scottish Borders Local Development Plan 2016 in that the proposed dwellinghouse would result in additional vehicular traffic on a sub-standard access to the public road to the detriment of road safety. This conflict with the development plan is not overridden by any other material considerations.

5.2 Reference: 23/01007/PPP
Proposal: Erection of dwellinghouse with access and associated works
Site: Land East of Mos Easley, Teviothead
Appellant: Buccleuch Estates Ltd

Reason for Refusal: The development would be contrary to Policy HD2 of the Scottish Borders Local Development Plan (2016), Policies 9 and 17 of NPF4 (2023) and the New Housing in the Borders Countryside Guidance (2008) because it would constitute housing in the countryside that would lead to an unjustified sporadic expansion of development into a previously undeveloped field likely leading to extension of the group that would adversely affect its character. These policy conflicts are not sufficiently overridden by other material considerations.

5.3 Reference: 23/01065/FUL
Proposal: Erection of dwellinghouse
Site: Land Adjacent Carnlea, Main Street, Heiton
Appellant: Mr Mark Graham

Reason for Refusal: The proposed development would not comply with National Planning Framework 4 Policy 14 and Policies PMD2: Quality Standards and PMD5: Infill Development of the Local Development Plan 2016 in that the development would result in additional vehicular traffic on a substandard access to the detriment of road safety, both vehicular and pedestrian, and the proposed upgrade of the junction with the A698 would appear incongruous with the linear streetscape and any scheme in isolation may have a detrimental effect on road safety.

6 REVIEWS DETERMINED

6.1 Reference: 23/00325/FUL
Proposal: Proposed change of use for Units 8-2 and 8-3 to mixed use include Classes 1 and 10
Site: U-Stor Business Units, Spylaw Road, Kelso
Appellant: U-Store Business Units Ltd

Reasons for Refusal: 1. The proposal is contrary to National Planning Framework 4 Policy 26 as the proposal is not for business and industry uses on a site allocated for such uses in the Local Development Plan, and the Class 1 and Class 10 uses are not compatible with the business and industrial character of the area and would prejudice the function of the area. In addition, the proposal is contrary to National Planning Framework 4 Policy 27 and the Town Centre First Approach, as it has not been adequately demonstrated that the proposed uses cannot be accommodated within the town centre or edge of centre or that there will be no significant adverse effect on the vitality and viability of the town centre; the proposal would set an undesirable precedent when town centres should be supported. 2. The proposal is contrary to Policy ED1 of the Local Development Plan 2016 in that the proposal would result in the loss of safeguarded business and industrial land and the Class 1 and Class 10 uses are not compatible with the predominant surrounding uses and would set an undesirable precedent for other retail uses, which are more suited to town centre locations, prejudicing the long term provision of business and industrial land in Kelso. In addition, the proposal is contrary to Policy ED3 of the Local Development Plan 2016, which seeks to develop and enhance the role of town centres by guiding retail development to town centres.

Method of Review: Review of Papers & Further Written Submissions

Review Decision: Decision of Appointed Officer Overturned (Subject to Conditions & Informative)

6.2 Reference: 23/00847/FUL
 Proposal: Erection of boundary fence (retrospective)
 Site: 24 - 1 Ettrick Terrace, Hawick
 Appellant: Mr Gary Johnstone

Reason for Refusal: The development would be contrary to Policy PMD2 of the Scottish Borders Local Development Plan 2016 and Policy 14 of NPF4 in that it would constitute a prominent and incongruous form of development that would have an adverse impact on the character and appearance of the surrounding area.

Method of Review: Review of Papers

Review Decision: Decision of Appointed Officer Overturned (Subject to Conditions)

7 REVIEWS OUTSTANDING

7.1 There remained 5 reviews previously reported on which decisions were still awaited when this report was prepared on 18th December 2023. This relates to sites at:

• Garden Ground of Glenbield, Redpath	• Land South of 1 Old Edinburgh Road, Eddleston
• Land North of Ivanhoe, Dingleton Road, Melrose	• The Blue House Near Swansfield Farm, Reston, Eyemouth
• 58 Waldie Griffiths Drive, Kelso	•

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 18th December 2023. This relates to a site at:

<ul style="list-style-type: none">Land West of Castleweary (Faw Side Community Wind Farm), Fawside, Hawick	<ul style="list-style-type: none">
--	--

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.

Contact us at Place, Scottish Borders Council, Council Headquarters, Newtown St Boswells, Melrose, TD6 0SA. Tel. No. 01835 825431 Fax No. 01835 825071
Email: PLACEtransrequest@scotborders.gov.uk

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