

SCOTTISH BORDERS COUNCIL

PLANNING AND BUILDING STANDARDS COMMITTEE

5 SEPTEMBER 2016

APPLICATION FOR PLANNING PERMISSION

ITEM:	REFERENCE NUMBER: 16/00083/FUL
OFFICER:	Stuart Herkes
WARD:	Mid Berwickshire
PROPOSAL:	Change of use of land to form playing field and erection of boundary fence
SITE:	Land North West Of Village Hall, Westruther
APPLICANT:	Robert Douglas Virtue
AGENT:	n/a

SITE DESCRIPTION

The application site is agricultural land just beyond the northern edge of the Development Boundary at Westruther. It is the southeast corner of a field, which is delimited to the east by a deciduous shelter belt, and to the south by a maturing avenue of silver birch trees, which frame the northern side of The Loaning, an agricultural track which runs to the immediate south of the site and to the immediate north of Westruther.

The site is open and relatively level. Surrounding land within the same field slopes downwards from the site to the north and west, at first gently but then more discernibly. While open to the remainder of the field to the north and west, the site is generally well-contained visually, particularly to the south and east where trees and hedging on surrounding land constitute an effective screen, in views from those directions.

The Loaning to the immediate south is the route of a Core Path (74) and Right of Way (BB118). It joins the public road to the southwest (Edgar Road). Its southern side, delineated by beech hedging, largely defines Westruther's Development Boundary at this point. The Core Path/Right of Way also continues through the shelter belt to the immediate east of the application site.

The Village Hall lies to the south of The Loaning, within the Development Boundary. It is accessible to and from The Loaning via a pedestrian footpath link, and it includes parking provision for Hall users, which lies within around 50m of the application site.

The nearest dwellinghouse to the application site is 'Maryville Cottage'. This lies around 40m to the southwest, and fronts The Loaning behind the beech hedge which defines the southern side of this track (as well as Maryville's own property boundary). Screening between 'Maryville Cottage' and the application site is limited to the beech hedge and avenue of birches which contain The Loaning. While this screen is relatively low and

uneven, the application site's off-set positioning relative to 'Maryville Cottage' means that inter-visibility is oblique and intermittent.

PROPOSED DEVELOPMENT

The proposal is that the use of the land within the site should be changed from agriculture, to accommodate a new playing field. The latter would consist of a single pitch, some 60m by 30m, with goal-posts, of a size suitable for use by younger children both resident within the community and/or attending the local primary school.

This pitch would be enclosed, firstly, by a 3m high chain-link perimeter fence; and then to the outside of this, on the western, northern and eastern sides, a new beech hedge. The hedge would itself in turn, be contained within an outer stock-proof fence on its western and northern sides, defending the site's boundaries with the reduced field.

There are no indicated proposals to level, drain or otherwise improve the ground surface of the playing field pitch itself.

PLANNING HISTORY

The site has no previous planning application history.

REPRESENTATION SUMMARY

Two different sites have been the subject of the current planning application (16/00083/FUL). These have in turn, been the subject of three public consultations. The first and third consultations related to the current application site; the second to a revised siting which has now been superseded by the reinstatement of the original proposal.

First Public Consultation – Original/Now Reinstated Version of the Proposal

No objections were received to this version of the proposal at the time of the first public consultation.

The Community Council has subsequently queried why the planning application was not simply progressed to determination at this point in time given an ostensibly favourable response from the community.

The application was not progressed to determination at this point in time because the applicant proposed an alternative siting for the facility (as described below).

Second Public Consultation – Revised/Now Superseded Version of the Proposal

In response to the Planning Officer's query to establish why the original (now reinstated) site was orientated perpendicularly to the Development Boundary and The Loaning, rather than orientated parallel to these, the Applicant proposed an amended site for the proposal. This was to be within the southwest corner of the same field as the original site, but now orientated parallel to the Development Boundary.

Rather than seek a new planning application for this version of the proposal, it was considered that the planning application should instead be revised and continued, with

all neighbours and statutory consultees fully re-notified of the proposed amendment to the siting of the proposal.

At the time of the subsequent second public consultation, twelve objections were received from nine different households, as well as an objection from the Community Council, to this proposed revised siting of the facility.

The Community Council's objection is summarised in the 'Consultation Responses' section below.

Excepting one objector who considered that the facility should be located in closer proximity to the school, all other objectors considered that the revised siting a poorer proposal than the original and was unacceptable in its own right. This was principally because: (a) the facility would have been in closer proximity to Maryville Cottage, and would have therefore have impacted more significantly upon its residential amenity, both in terms of noise impacts and impacts upon the outlook of that property, or because (b) if it were so sited, the proposal would have been more intrusive in terms of its landscape and visual impacts upon the setting and character of Westruther.

Notwithstanding an expressed preference for the site that had been the subject of the first public consultation, reference was made within all the objections specifically to the proposed use of a 3m high perimeter chain-link fence. This was considered liable to have (i) adverse landscape and visual impacts owing to its height and stark appearance; (ii) potential unacceptable noise nuisance impacts resulting from balls striking it during matches; and (iii) unacceptable impacts upon the outlook from the dwellinghouse at 'Maryville Cottage'.

Since this represented a relatively strong response from the public, and community, to the proposed revised proposal, and since the original siting had not attracted any objections at the time of the first public consultation and had been compared favourably by most objectors to the proposed revised siting at the time of the second consultation, it was considered appropriate to pursue the option with the Applicant of reinstating the original siting, to which the Applicant was agreeable.

Third Public Consultation – Current Arrangement

While the views of statutory consultees had previously been gathered with respect to the original proposal at the time of the first public consultation, the reinstatement of the original location still required public consultation.

At the time of this third public consultation, eleven objections were received from the same nine households which had responded at the time of the second public consultation.

The objections to the current (reinstated) version of the proposal are principally to the use of the proposed 3m chain-link, (i) firstly, on the grounds that this would not have an acceptable landscape and visual impact upon a site in the countryside and setting of Westruther on account of its height, stark (even urban) appearance and visibility from the surrounding area, and (ii) secondly, on the grounds that it would be a source of unacceptable noise nuisance to neighbouring residential properties, and principally the

occupants of 'Maryville Cottage', as a consequence of the sound of balls striking or rattling off the fence during matches contained therein.

With one exception, the objectors acknowledge an improvement over the repositioned scheme, but essentially maintain their previously expressed concerns with respect to the installation of the proposed perimeter fence. A number propose alternative boundary and landscaping treatments involving a lower fence with more substantial hedging and/or tree planting to form a screen of mixed native species around the facility.

One objector anticipates concerns with respect to ground penetration and drainage at the site, and anticipated with regard to the revised/superseded version of the proposal, that the applicant had not taken full account of what would likely be required in terms of establishing an appropriate playing surface for the facility.

One objector seeks a wider 'village green' area in addition to the proposed playing field.

APPLICANTS' SUPPORTING INFORMATION

Beyond the proposals described by the layout drawing and brochure detail of the proposed chain-link fence, only limited details have been presented in support of the proposal.

A brief supporting statement advises that: (i) the proposed siting has been chosen because of its proximity to the Village Hall, whose Committee would be responsible for managing and maintaining the facility; (ii) the site is level and free-draining, making it suitable for sport activities; and (iii) the site is safely accessible on foot – via The Loaning – from both the Village Hall and Primary School.

CONSULTATION RESPONSES:

In the interests of clarity and brevity, only consultation responses relating to the use and operation of the proposed playing field at the current application site, are summarised in this section.

Scottish Borders Council Consultees

Roads Planning Section: advises that it has no objections to the siting and operation of the proposed playing field, notwithstanding the remoteness of the site from the public road and limited parking provision at the Village Hall. This is because the site has good pedestrian connectivity to the Village Hall and the Primary School; most users would be expected to be local residents able to access the facility on foot; and existing parking provision at the Village Hall, coupled with some on-street provision, would be able to cope with what is anticipated to be a generally low parking demand.

Landscape Section: considers that there are no 'significant adverse' landscape or visual effects associated with this proposal, but it would be preferable if the proposed hedge were established to minimise the local impact of the fencing. To this end, a planning condition is sought to require the planting of the proposed hedge, and it is advised that this should be guided by Landscape Guidance Note 3. With respect to the establishment of this hedge, it is noted that there may be some difficulty in trying to grow a hedge under the canopy of existing beech trees on the eastern side. However, since

these trees are themselves almost certainly of hedgerow origin, it is considered that one option may be to cut them back to stumps which would then allow these to regenerate, with the gaps between them infilled with new hedge plants. It is further advised that consideration would also need to be given to the protection of new planting from rabbits as well as from livestock. Bark mulch would assist with weed control. The plastic-coated chain link fence, coloured dark green, described by the brochure detail, is considered to be acceptable but it is recommended that this (acceptable) appearance should be required by condition.

Outdoor Access Section: does not object because there are no known Core Paths/Promoted Paths/Rights of Way directly affected by this proposal. However, because Core Path 74 (Right of Way BB118) runs to both the east and south of the application site, it is requested that a planning condition be imposed to require that this path should be maintained open and free from obstruction during the course of development to protect general rights of responsible access.

Archaeology Officer: was consulted at the time of the second public consultation, and at that time, identified the presence of a particular crop mark within the southern section of the field, in close proximity to both the original/reinstated and revised/superseded sites. Given the Archaeology Officer's consideration that this has potential to be a prehistoric feature, it is recommended that the site should be subject to a developer-funded field evaluation ahead of all ground works required to establish the playing pitch and fence. Particular guidance is given with respect to the focus and progress of this field evaluation. Following verbal discussions with the Planning Officer, agreement has been reached that would allow that the works specifically described by the Proposal Drawing to take place without an archaeological evaluation (or watching brief) provided there were no groundworks at or deeper than 40cm below the existing ground surface (the anticipated depth of the top soil). However, the Archaeology Officer maintains the requirement for an archaeological evaluation in the event that any such ground works were to be required. He also maintains a concern that the Applicant should be made aware of the potential for significant archaeology to be encountered at the site in the event of any future works or operations.

Forward Planning Section: considers that the principle of the proposal complies with Policy PMD4: Development Outwith Settlement Boundaries of the Adopted Local Development Plan in that the latter allows for development out with the Development Boundary where this *'is considered to offer significant community benefits that outweigh the need to protect the Development Boundary'*. The Forward Planning section considers that this is met in this particular case. The proposed sports pitch would provide a community facility, which is not currently provided for within the village. Policy PMD4 further requires that development must represent a logical extension to the built-up areas of the settlement. However, taking account of the character of existing development, and orientation of existing buildings out with and within Westruther, The Forward Planning section does not consider that the proposal would adversely impact upon the village or its wider landscape setting because: it is of an acceptable scale in respect of the surrounding development pattern; would not be readily visible from within the wider landscape or from the approach roads to Westruther; would be self-contained within its landscape surroundings; would not result in any adverse effect on the natural heritage of the surrounding area; and would not prejudice any sites identified for longer-term development. It notes in respect of Policy HD3 - Protection of Residential Amenity that cognisance should also be had to the amenity of surrounding residential properties.

Overall, and taking into consideration the nature and scale of the proposal, Forward Planning considers that the proposal would provide significant community benefits, which outweigh the need to defend the Development Boundary.

Statutory Consultees

Gordon and Westruther Community Council: responded at the time of the original public consultation to the version of the proposal that has been reinstated, to advise that it is very much in favour of this much needed facility. At the time of the second public consultation on the revised, and now superseded, proposal to re-site the playing field, the Community Council objected to the then proposed revised siting and advised of its strong preference for the reinstatement of the first (now current) site on the grounds that this: (i) is well away from local housing; (ii) is closer to the Village Hall where school-children may change/use the toilet facilities etc; and (iii) has less impact on the site. Beyond this, it asks that noise and visual amenity impacts be taken into account when considering the installation of proposed three-metre high chain-linked fence because it is aware of concerns regarding noise having been raised in connection with similar fencing installed at a site in Lauder. The Community Council was aware of the third public consultation on the reinstatement of the original site and wrote to request that its previous advice be taken into consideration at the time of the application's determination.

DEVELOPMENT PLAN POLICIES:

Adopted Scottish Borders Local Development Plan 2016

Policy PMD1: Sustainability

Policy PMD2: Quality Standards

Policy PMD4: Development Outwith Development Boundaries

Policy ED7: Business, Tourism and Leisure Development in the Countryside

Policy HD3: Residential Amenity

Policy EP13: Trees, Woodlands and Hedgerows

Policy IS5: Protection of Access Routes

Policy IS7: Parking Provision and Standards

OTHER PLANNING CONSIDERATIONS:

None.

KEY PLANNING ISSUES:

The main determining issues with this application are compliance with Development Plan Policies on the siting of development out with the Development Boundary and consideration of impacts on the amenity of adjoining residential properties, impacts on the appearance of the wider landscape setting of Westruther, and the potential for impacts upon significant archaeology which may be present at the site.

With respect to the appropriate conservation of residential amenity and the acceptability of landscape and visual impacts, it needs to be considered whether or not the installation of the proposed 3m high chain-link fence in particular, would be an acceptable component within this development.

ASSESSMENT OF APPLICATION:

Planning Policy and Planning Principle

The site lies outwith the Development Boundary at Westruther, and therefore the principle of the proposal requires to be assessed under Adopted Scottish Borders Local Development Plan Policy PMD4. Although this policy requires that development out with settlement boundaries should normally be refused, it also explicitly allows for exceptional approvals, including in the circumstance that the proposal would offer significant community benefits that would outweigh the need to protect the Development Boundary.

In line with Forward Planning's assessment, it is considered that the proposal would in principle be appropriately considered a community facility with potential to offer significant community benefits. There is no existing equivalent facility for outdoor sports and leisure activities within Westruther, or in fact any dedicated facility that might appeal particularly to younger children and encourage their participation in sporting activities.

Although the proposal represents a development that would offer significant community benefits that might outweigh the need to protect the Development Boundary, Policy PMD4 still requires that the proposal should not otherwise have any unacceptable impacts upon the environment and amenity of the site and surrounding area, or otherwise prejudice the future development of Westruther.

Furthermore, and beyond the need to meet the primary requirements of Policy PMD4, the proposal could only be supported if its siting and operation at the site were also capable of complying with the requirements of all other policies within the Statutory Development Plan; including the need to ensure that there would be no unacceptable impacts upon the amenity of surrounding residential properties. These matters are considered in turn, in the sections below.

Site Selection

The Applicant has not provided any justification for the specific site selected, or advised as to what, if any, alternative sites were considered, although this has been to some extent tested by the earlier revision. However, in this instance, it is readily apparent that there are no more suitable areas within the Development Boundary that could physically accommodate this proposal.

The proposed siting would, furthermore, be well-related to the Village Hall from which the proposal would be managed, and where any parking generated by its operation might reasonably be expected to be accommodated.

The site would also be within relatively easy reach of the school for the Hall's organised sporting activities, and would generally be accessible to all parts of the village by foot.

Neither the site nor any surrounding land is allocated for any proposed use within the statutory development plan. Accordingly the accommodation of the facility as proposed, would not conflict directly with any other identified long-term use of the land.

An additional consideration with respect to siting, has been the level of objection to the applicant's (now superseded) revised proposal that the facility might be sited in the southwest corner of the same field. Since this is a community facility, the level of support from the public and Community Council for the original, and now reinstated, siting, reasonably carries significant weight within this assessment.

In summary, the site would be well-related to the village and to the specific facilities with which it would be inter-related, and of the two options presented to the public, the current site is that which is preferred by the majority of those who responded to the public consultations. Accordingly, the basis of the selection of the current application site raises no concerns in itself, and no further justification is considered to be required.

Design and Layout

The applicant has not addressed directly the reason for the proposed north-south orientation of the facility, but this has not in itself, been identified as objectionable by any members of the public. Most of those who responded to the public consultation, either do not appear to consider the facility's orientation to be a particularly significant issue in itself, or give positive support to the north-south orientation as being more conducive to an acceptable accommodation of the facility within the setting of Westruther. Again, given that the proposal would be a community facility, significant weight can be given to the views of the community as to the facility's best accommodation on the site.

Ultimately any concern to align the pitch to the Development Boundary, while preferable in terms of helping to minimise the depth of projection of a non-rural land use into the countryside setting of Westruther, is not in this case a significant point. This is largely because of the character of the proposal, which would be a fairly low and transparent development when viewed from the surrounding landscape. It would also be liable to be viewed against a backdrop of trees in more distant views from the north and west. It is also a reasonably modest facility in its size and scale with no unnecessary inclusions of land that would not contribute directly to the sports field use.

Road Safety, Access and Parking

The facility would be appropriately accessible from the village and from the Village Hall in particular.

While most users would be local residents or school children expected to access the facility on foot, Roads Planning Section is content that the provision for parking at the Village Hall, in association with opportunities for on-street parking in surrounding streets, would be sufficient to accommodate the facilities' parking needs.

There are consequently anticipated to be no unacceptable impacts upon the local road network or road safety within the surrounding area.

Landscape and Visual Impacts

The proposal has only limited landscape impacts due to its modest size and low profile relative to its surroundings. As the Landscape Section notes, the indicated green-finish of the perimeter fence would contribute to a visually recessive appearance within more

distant views to the north and west. Surrounding trees and hedging soften and interrupt, if not screen out completely, views from the surrounding area, particularly to the south and east. This appearance would be appropriately required and regulated by planning condition to ensure as recessive an appearance for the fence as possible.

Notwithstanding this potential, objectors seek the removal of the 3m high perimeter fence and its substitution by a lower fence and/or by new substantial hedge and tree planting. While the latter would undoubtedly improve the appearance of the facility from afar, any extensive new planting would not only appear unreasonable because of the low landscape and visual impacts of the facility, but would also result in the loss of a practical and effective barrier to contain balls within the designated sports field thereby reducing potential for disturbance to livestock and nuisance to neighbouring land and properties.

Furthermore, it is questionable whether any substantial landscaping around the site would actually be desirable in this particular context. The transparency of the enclosing fence would be liable to facilitate surveillance of the playing field from outwith the site, thereby encouraging the safe and responsible use of the facility.

For all practical reasons, the specific proposed fence is reasonably considered to be an inherent part of the proposal, with its height and transparency being integral to its function and the optimum operation of the playing field facility. Such visual impacts as there would be are likely to be very localised.

Residential Amenity

Most concerns with respect to impacts upon residential amenity cite the potential for balls striking the chain-link fence to generate unacceptable levels of noise nuisance at 'Maryville Cottage' and other surrounding residential properties. The residents of 'Maryville Cottage' have also raised concerns with respect to their amenity being unacceptably impacted by the raised voices of the proposed facility's users either on-site or on their way to or from the site.

The location and operation of a formal playing field liable to be used by community groups and the local school has the potential to result in an increased level of noise at the site relative to that which currently prevails there.

The proposed site is not directly opposite Maryville Cottage, which is also separated by the existing track and hedge. Its private garden area lies to the south, away from the site. Any view of the site from this house is likely to be oblique and, as no floodlights are proposed, any potential for noise is likely to be limited to daylight hours. The potential risk in terms of noise nuisance during protected hours is therefore unlikely to be significant.

Within a planning assessment, it is ultimately only necessary to anticipate the impacts that would result from a responsible use of the facility. The Village Hall Committee would itself, by virtue of the perimeter fence, retain some measure of control over the use, and critically over the time of use, of the facility if it chose to regulate access. Given this potential, there would appear to be ways that the facility's operators could ensure

the sympathetic operation of the facility if it were advised of any concerns by neighbours or the police.

Overall, the wider benefit to the community is considered to outweigh the limited potential for noise or other nuisance.

Cultural Heritage and Archaeology

The Archaeology Officer responded to the consultation to seek a developer-funded field evaluation encompassing not only the archaeological investigation of the site, but also the investigation of a nearby crop-mark which he anticipates may be a prehistoric feature..

Given that the Applicant has not indicated any proposed ground works at the site to accommodate the playing field on what is already a relatively level area of land, the need for the archaeological evaluation has been referred back to the Archaeology Officer who has confirmed verbally that there would only be a concern were any groundworks to impact deposits below the top soil; that is, below a depth of around 30 to 40cm. The Archaeology Officer has no objection to the erection of the fencing or goal-posts per se, since these would have minimal impacts upon any archaeological deposits or remains present at the site. However, he maintains that any excavation works liable to occur below the level of the topsoil would be at risk of impacting underlying archaeological deposits and remains.

Since the land at the site is already relatively level and consistent, and does not appear to be poorly drained, it is not anticipated that there is any inherent requirement for any substantial ground works to accommodate a playing field. However, clearly some improvement of the surface would be required to accommodate an appropriate playing field for sports. It is considered reasonable to suppose that the Applicant would not need to excavate below a depth of 40cm in order to accommodate the proposal at the site, and that there are no reasons to suppose that there would in any event be unacceptable impacts upon the archaeological record as a consequence of the siting and operation of the proposal in the form in which it has been described.

Ideally the site should be made the subject of a full archaeological field evaluation, but in planning terms, this appears disproportionate to what has actually been proposed by the Applicant. Accordingly, the pragmatic approach would be to require, by planning condition, that there should be no ground works carried out in relation to the accommodation of the playing field itself to any depth greater than 40cm below the level of the existing ground surface itself. It might be allowed by the same condition any works below that depth could go only ahead with the Planning Authority's explicit written approval. An informative note could then advise the Applicant that such authorisation would only be forthcoming subject to appropriate provision for the archaeological investigation and recording of the site by way of an archaeological evaluation, first having been secured and implemented.

Existing Trees and Proposed Hedge Planting

While there are trees to the south and east of the site, there are already agricultural fences in closer proximity to these than the line of the proposed perimeter fence. With

respect to impacts upon tree roots, sufficient set back appears achievable in most instances, but the installation of the proposed fencing would in any case, reasonably be expected to be altogether less intrusive than other types of development. The younger trees to the south at least, are also extremely unlikely to be rooting under the site of the fencing. Accordingly, the potential for damage to trees appears to be minimal.

The Applicant proposes a new beech hedge around the site. At least on the west and north sides of the site, such a feature would soften as far as reasonably possible, the appearance of the facility in views from the wider landscape.

The Landscape Architect's recommendation that existing beech trees to the east might be reduced and retained for inclusion within a new hedge, is noted, but these trees do not coincide with the boundary adjacent to the site (those referred to by the Landscape Architect are further to the north). Accordingly, a new section of hedge to the east would be entirely preferable to any works to the larger trees immediately adjacent to the site along its eastern boundary.

It would be reasonable to require by planning condition the planting and maintenance of the low hedge in the form in which it has been proposed. A related informative could address critical concerns with respect to the planting and maintenance requirements, and address the advice of the Landscape Architect with respect to good practice in hedge establishment and management.

Other Concerns

The Outdoor Access Section is concerned that a planning condition should be imposed to ensure that public access should be maintained along the Core Path/Right of Way during the course of any development works. However, this requirement is enshrined in law and is therefore not reasonably or necessarily made the subject of a planning condition. An informative would therefore suffice to alert the Applicant to the statutory requirement that Core Path and Right of Way access should be maintained at all times.

One of the objections seeks the establishment of a larger 'village green' area within the wider field area, but this is neither allocated within the statutory development plan nor the subject or context of the current proposal.

While the playing field and fencing would require maintenance, there is no logical or reasonable basis in planning terms, for seeking to restrict planning consent to any specifically limited period of time. In the event that the facility was not used, or if in time it were to fall out of use, the land would most logically and reasonably revert to being farmland again. A reversion to agricultural use could occur as a permitted change of use, and is therefore not necessarily or reasonably required by planning condition. Any subsequent alternative proposal for the site would require to be considered on its own planning merits at the time of any future planning application.

CONCLUSION

Subject to appropriate planning conditions being imposed to regulate the concerns identified above with respect to the potential for impacts upon archaeological deposits and with respect to measures required to ensure an appropriate finished appearance of the proposed fencing and to facilitate its accommodation within the landscape setting of

Westruther (planting of hedge), the proposal is considered to comply with the full requirements of Policy PMD4 and also with those of all other policies of the statutory development plan.

RECOMMENDATION BY CHIEF PLANNING OFFICER:

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

1. Other than fence-posts and goal-posts, no development shall take place on the site (or any part thereof) to any depth greater than 0.4m (40cm) below the level of the existing ground surface, unless otherwise agreed in writing by the Planning Authority. (Please see Informative Note 1 for further information with respect to the archaeological interest at the site and the operation of this same planning condition).

Reason: Any ground works at the site below the level of the top soil, are at risk of damaging or destroying significant archaeological remains unless appropriate arrangements are first put in place for the investigation and recording of the site by professional archaeologists ahead of any such ground works occurring.

2. Unless otherwise agreed in writing by the Planning Authority, the finished appearance of the proposed boundary fencing shall accord in full with the description Approved Photograph 1, including the dark green finish to the frame and mesh described by that same photograph.

Reason: To ensure that the finished appearance of the boundary fence is as visually recessive as possible within views from the surrounding area, in the interests of ensuring an appearance that is as sympathetic as possible to the countryside location of the site and the rural landscape setting of Westruther.

3. The development hereby approved shall not take place except in strict accordance with a scheme of landscaping works describing the planting and maintenance of the beech hedge which is described by the Approved Site Plan Drawing, which shall first have been submitted to, and approved in writing by, the Planning Authority before the commencement of development. The details of the scheme shall take full account of the advice and guidance of Informative Note 2, and shall include a planting schedule and programme for subsequent maintenance.

Reason: To ensure that appropriate landscaping arrangements are in place to deliver a satisfactory form, layout and assimilation of the development in association with the operation of Planning Condition No 4 attached to this planning permission.

4. Unless otherwise agreed in writing and in advance by the Planning Authority, all planting comprised in the approved details of the new beech hedge shall have been carried out by no later than the end of the first full planting season following the completion and/or first use of the playing field facility hereby approved (whichever occurs soonest). This same planting shall thereafter be maintained in accordance with the details approved under requirements of Planning Condition No 3, and any and all failures of individual plants shall be replaced by a new plant of the same species for a period of five years from the date of completion of the initial planting.

Reason: To ensure that the proposed landscaped boundary treatment is carried out as approved, and is thereafter given sufficient opportunity to become established through maintenance, including if necessary, the replacement of any plants that fail during this same period.

Informatives

INFORMATIVE NOTE 1:

The Council's Archaeology Officer has advised that aerial photography suggests potential at the site for the survival of archaeological remains of prehistoric date, and highlights the potential for this buried archaeology to be damaged or destroyed by ground works carried out in relation to the creation of a playing field.

With respect to the operation of Planning Condition No 1 attached to this planning permission, and in response to any subsequent request by the Applicant or Operators to carry out excavations at the site to any depth greater than 40cm below the level of the existing ground surface, please note that the Planning Authority may request a full archaeological evaluation of the site in line with that sought by the Council's Archaeology Officer within his consultation response provided at the time of the public consultation on this planning application (16/00083/FUL). It would only be once appropriate provision had been made for the conservation (by record if necessary) of any significant archaeological remains present, that the Planning Authority would be agreeable to the carrying out of any ground works at the site to any depth greater than 40cm below the level of the existing ground surface.

INFORMATIVE NOTE 2:

Please refer to "Landscape Guidance Note 3 – Hedge Detail" when preparing the information required by Planning Condition No 3. The details required by Planning Condition No 3 must provide sufficient information to be enforceable by including a Planting Plan which addresses the following:

- i.) Plan is to an identified true scale (e.g. 1:200);
- ii.) Boundary of the application site is clearly marked;
- iii.) Site orientation is indicated by a North point or OS grid lines;
- iv.) All existing trees, shrubs and hedges to be retained are clearly marked;
- v.) Take account of site factors such as slope, aspect, soil conditions, proximity of buildings and minimum distances from pipe and cable runs, when choosing planting positions. Where necessary, seek professional landscape advice;
- vi.) Planting positions are clearly marked showing individual trees and shrubs and / or planting area boundaries using dimensions as necessary;
- vii.) All species of plants identified using their full botanical name (e.g. oak - *Quercus robur*);
- viii.) All plant numbers to be identified individually or by group or area as appropriate. Species mixes can be identified by percentages and an overall number or a specified area and a planting density (e.g. *Betula pendula* 30%, *Quercus robur* 70%, 120 square metres @ 1 plant per 4 square metres = 9 *B. pendula* & 21 *Q. robur*);
- ix.) A planting schedule identifies all the proposed planting by species and specification indicating size and nature of plants to be used (e.g.: Extra heavy standard tree 14-16cms girth or shrub 60-75cms high in 2 litre pot.);

- x.) Notes on the plan describe how the planting is to be carried out and maintained to ensure successful establishment; and
 - xi.) The plan indicates when the work will be completed and ready for inspection taking account of planting seasons (e.g. November to end March each year for bare rooted plants.).
- N.B. Planting conditions are only discharged following an inspection of the completed work.

INFORMATIVE NOTE 3:

Core Path 74 (Right of Way BB118) runs to the east and south of the site.

Please note that it is a statutory requirement that this Core Path/Right of Way must be maintained open and free from obstruction at all times, including during the course of development. This is to protect general rights of responsible access.

DRAWING NUMBERS

Plan Ref	Plan Type
Village Hall Playing Field	General
Chain-Link Fence Detail	Photos

Approved by

Name	Designation	Signature
Ian Aikman	Chief Planning Officer	

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

Author(s)

Name	Designation
Stuart Herkes	Planning Officer



16/00083/FUL

Land North West Of Village Hall
Westruther

