

I have the following additional concerns:

1. The track improvements, and especially the entrance/ exit improvements including visibility splays, will alter the character of this road and may require the felling of a number of roadside trees to the west to improve visibility.
2. The almost flat roofed form of both these cottages will contrast with the rolling hillside landform. This is seen in the visualisation.
3. The effort to create a landform into which the cottages would fit has not addressed the impact of the car parking which could be very prominent when seen across the valley.
4. I would be concerned if it was envisaged that even more cottages of this style could be accommodated in this location – I consider that due to the visual sensitivity of the site the proposal is not acceptable and would not ‘safeguard landscape quality’ of this part of the SLA.

Conclusion

While I consider that in certain locations new development that offers another, contemporary experience of the Borders and its high quality landscape, can be accommodated this site is not such a location, given its prominent location on the side of Rink Hill. The principle of development, at some distance from the nearest building group in an SLA gives me some added concerns. Therefore on landscape and visual grounds, I cannot support this development.

Siobhan McDermott
LANDSCAPE ARCHITECT

PLANNING CONSULTATION

To: Archaeology Officer

From: Development Management

Date: 19th July 2016

Contact: Andrew Evans ☎ 01835 826739

Ref: 16/00844/FUL

PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 9th August 2016, If further time will be required for a reply please let me know. If no extension of time is requested and no reply is received by 9th August 2016, it will be assumed that you have no observations and a decision may be taken on the application.

Please remember to e-mail the DCConsultees Mailbox when you have inserted your reply into Idox.

Name of Applicant: Mr J M & R Bayne

Agent: Ferguson Planning

Nature of Proposal: Erection of 2 No dwellings for holiday let, and associated infrastructure works

Site: Land North West Of 4 Rink Farm Cottages Galashiels Scottish Borders

OBSERVATIONS OF: Archaeology Officer

CONSULTATION REPLY

Thank you for requesting an archaeology consultation. I have read the applicant's very helpful archaeology statement as well as the planning statement in assessing this application.

Assessment

I am largely in agreement with the applicant's archaeological assessment. It notes the presence of designated and undesignated assets in the surrounding area, most significantly the Scheduled Rink hill fort and undesignated line of the Pict's Work prehistoric or early historic boundary. I raised two issues with the applicant's archaeological contractors during pre-planning; potential direct impacts to the Pict's Work boundary, and indirect setting impacts to assets in the area. I largely agree with the report's conclusions on setting. I do not feel that the development will create major setting effects that would run counter to Policy EP8 of the Local Development Plan. That said, I do feel there is a slightly higher impact to the setting of the Rink Fort than set out in the report. As shown in the applicant's planning statement, Figure 1, the development will be read from the A707 as being located just below the Rink fort which occupies the summit and this location accentuated by the plantation within the site. This adds a competing element that detracts slightly from the appreciation, experience and understanding of the fort and its immediate setting. That said, I do not feel this is a major effect, perhaps more on the moderate scale per the archaeological report's criteria. However Figure 1 is perhaps somewhat misleading in that it seems to suggest the south-eastern lodge will appear with a bright finish, and it is this that presents the most distracting element.

The archaeological assessment also specifies that there is a low potential for directly discovering archaeological features or deposits through development. While I largely agree with this assessment, I do not agree with the view that the development is unlikely to encounter features associated with Pict's Work boundary. This is shown clearly on the Ordnance Survey 1st edition as crossing the area of the existing access track in the middle of the 19th century. Since this time it has been largely ploughed down, and likely disturbed by the construction of the track. The section that survives to the east is an example of the what the

earthwork would have looked like until these landscape changes took place. While there are no upstanding features within or near the development area, this does not preclude the presence of sub-surface features surviving. Indeed, it is likely that the earthwork formed of a ditch and bank will partly survive as buried soil (for the bank) or, at the very least, as a filled ditch. This ditch, if it survives, is important to our understanding of the earthwork in that it may contain sediments that contain environmental materials that could be used to date the feature and perhaps provide a relative chronological relationship to the Rink fort. I note that a new entrance and section of track is to be formed. This may encounter traces of the earthwork, particularly in the area where the new track meets the old.

There remains a low potential for archaeology in the rest of the site, and I agree with the archaeological assessment on this. The report suggests that a condition for a watching brief can be used to mitigate direct impacts by allowing for archaeological recording of features or deposits during development. I also agree with this recommendation. This, however, has not been followed into the applicant's Planning Statement

Setting Mitigation

To partly off-set the setting impacts, there is some potential for increasing the heritage relevance of the new development. The linkages to the Rink hill fort should be enhanced. In particular open access and interpretation should be afforded to the fort from the cottages and sign-posted for walkers who may not use the holiday lets. This need not necessarily mean new paths or gates, anything existing could be used if appropriate, but it would provide a substantial amenity value for the development and encourage the active use and stewardship of the fort itself. It should be noted, however, that as the fort is Scheduled no excavation or felling of trees should take place within the Scheduled Monument area itself without obtaining Scheduled Monument Consent from Historic Environment Scotland. Improving access to the Rink fort will increase the appreciation, experience and understanding of the asset and its setting.

In addition to the above, in assessing the application I was struck by the (perhaps coincidental) similarity of the proposal to certain elements of prehistoric settlement design in the Borders. The use of terraces into the lower slopes of a hillside closely reflects the similar choices made by communities in the Bronze Age who occupied in particular the upper Tweed and Clyde catchments. Similarly, the rounded shapes in the front elevations reflect the round-houses that occupied terraced platforms in the past. More could be made of this relationship through some form of on-site interpretation. This can be handled through an informative, or condition if you feel this is appropriate.

Both recommendations would help off-set the impacts to the Rink fort's setting, and are in line with Policies EP8, ED7 (specifically that it should be respectful to the amenity and character of the surrounding area) and paragraph 93 of SPP (enhancing the natural and built environment). The recommendations are also in line with the Tourism and Strategy Action Plan in that the development would further capitalise on the unique heritage of the area.

Direct Impact Mitigation

In line with the recommendation in the applicant's archaeological assessment, and my own, I recommend that a condition for an archaeological watching brief is required. This should cover areas of the development not previously disturbed by the existing access track.

Recommended Conditions

I support the principle of the application and feel that impacts to cultural heritage can be mitigated. If the Council is minded to approve this application, I recommend the following:

- A suitably worded condition to facilitate open access and interpretation of the Rink fort from the development area. This can be negotiated at a later date with myself and our Access Officers.
- A suitably worded informative that seeks a proposal to emphasise the heritage elements within the site itself as outlined above
- **Archaeology: Developer Funded Watching Brief**

No development shall take place until the applicant has secured a programme of archaeological work in accordance with an approved **Written Scheme of Investigation (WSI)** outlining a **Watching Brief**. **Development and archaeological investigation shall only proceed in accordance with the WSI.**

The requirements of this are:

- The WSI shall be formulated and implemented by a contracted archaeological organisation working to the standards of the Chartered Institute for Archaeologists (CIfA) approval of which shall be in writing by the Planning Authority.
- If significant finds, features or deposits are identified by the attending archaeologist(s), all works shall cease and the nominated archaeologist(s) will contact the Council's Archaeology Officer immediately for verification. The discovery of significant archaeology may result in further developer funded archaeological mitigation as determined by the Council.
- Development should seek to mitigate the loss of significant archaeology through avoidance in the first instance according to an approved plan.
- If avoidance is not possible, further developer funded mitigation for significant archaeology will be implemented through either an approved and amended WSI, a new WSI to cover substantial excavation, and a Post-Excavation Research Design (PERD).
- Initial results shall be submitted to the Planning Authority for approval in the form of a **Data Structure Report (DSR)** within one month following completion of all on-site archaeological works. These shall also be reported to the National Monuments Record of Scotland (NMRS) and Discovery and Excavation in Scotland (DES) within three months of on-site completion
- The results of further mitigation of significant archaeology shall be reported to the Council following completion for approval and published as appropriate once approved.

Reason: The site is within an area where ground works may interfere with, or result in the destruction of, archaeological remains, and it is therefore desirable to afford a reasonable opportunity to record the history of the site.

To: **Development Management Service**
FAO Andrew Evans

Date: **9 Aug 2016**

From: **Roads Planning Service**
Contact: **Paul Grigor**

Ext: **6663**

Ref: **16/00844/FUL**

**Subject: Erection of 2 No Dwellings for holiday let and associated
infrastructure works
Land North West of 4 Rink Farm Cottages, Galashiels**

Whilst no objections were raised at pre-application stage, the following points must be incorporated into the design in order to gain my support for these holiday units;

- First 20 metres of the new access to be constructed to the following specification “40mm of 14mm size close graded bituminous surface course to BS 4987 laid on 60mm of 20mm size dense binder course (basecourse) to the same BS laid on 350mm of 100mm broken stone bottoming blinded with sub-base, type 1.”
- Remainder of access track to be formed with a well compacted, free draining smooth running surface. This will involve the removal of the central grass strip along the length of the track and upgrading the existing running surface which is only suitable at present for 4x4 type vehicles.
- The bellmouth of the access must be a minimum of 5.5 metres wide for the first 7.5 metres.
- The width of the private access road would benefit from a reduction from 4.5 metres to 3.7 metres. The reason for this is that 4.5 metres gives an impression that two vehicles can pass each other. The minimum width for two way movements is 4.8 metres. Reducing the road width to 3.7 metres will remove any confusion of passing and will also reduce construction costs. The passing places are adequately spaced out.
- Existing access to be grubbed up to the satisfaction of the Council once the new access has been formed. This must be carried out prior to the holiday units becoming available for use.
- New access to be formed and available for use prior to works commencing on the holiday units, to ensure construction traffic benefits from the new and improved access. The phasing of the new access works can be agreed to ensure that the final wearing course is laid prior to occupation of either of the holiday units.
- Visibility splays of 2.4 by 90 metres to be provided in both directions onto the public road and maintained as such in perpetuity.
- An appropriately worded condition or legal agreement restricting the use of these units for holiday accommodation only and no permanent residency.

Given the above requirements for the access, I will require an amended plan to be submitted for approval.

It should be noted that all works within the public road boundary must be undertaken by a contractor first approved by the Council.

AJS

Scottish Borders Council

Regulatory Services – Consultation reply

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|--------------------------------------|--|
| Planning Ref | 16/00844/FUL |
| Uniform Ref | 16/01405/PLANCO |
| Proposal | Erection of 2 No dwellings for holiday let, and associated infrastructure works |
| Address | Land North West Of Rink Farmhouse Galashiels Scottish Borders |
| Date | 3/8/16 |
| Amenity and Pollution Officer | David A. Brown |
| Contaminated Land Officer | Reviewed – no comments |

Amenity and Pollution

Assessment of Application

Air quality

Noise

Nuisance

Private Water Supply

This is an Application to construct two holiday cottages with a plant room.

The development is to be serviced by private drainage and water supply systems.

These can impact on public health and amenity if not properly installed and maintained.

If the dwellings are to be serviced by a private water supply the applicant will need to provide details to demonstrate that the supply will be adequate for the size of the dwelling and not affect supplies in the vicinity. In order to do this the application should provide the following information:

1. The type of supply ie borehole, spring, well etc
2. The location of the source by way of an 8 digit reference number.
3. Details of other properties on the supply (if the supply is an existing one)
4. Estimated volume of water that the supply will provide (details of flow test)
5. Evidence that this supply will not have a detrimental effect on supplies in the area
6. Details of any emergency tanks
7. Details of treatment to be installed on the system.
8. Details of any laboratory tests carried out to ensure the water is wholesome.

For information, the minimum daily volume of water that requires to be supplied by a private water supply must be equivalent to one cubic metre (or 1000 litres) of water per day for every five persons who will be using the supply. It is the provision of this quantity that must be ensured and, as such, water storage facilities may be necessary for this purpose. In addition, when designing storage facilities, the minimum recommended capacity is three days' worth of supply, in order to allow for supply interruption/failure.

Recommendation

Delete as appropriate – Agree with application in principle, subject to Conditions and Informatives.

Conditions

No development should commence until the applicant has provided evidence that the site will be serviced by a wholesome supply of drinking water of adequate volume. The supply should not have a detrimental effect on other private water supplies in the area.

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

No development should commence until the applicant has provided evidence that arrangements are in place to ensure that the private drainage system will be maintained in a serviceable condition

Reason: To ensure that the development does not have a detrimental effect on public health.

Any noise emitted by plant and machinery used on the premises will not exceed Noise Rating Curve NR20 between the hours of 2300 – 0700 and NR 30 at all other times when measured within the nearest noise sensitive dwelling (windows can be open for ventilation). The noise emanating from any plant and machinery used on the premises should not contain any discernible tonal component. Tonality shall be determined with reference to BS 7445-2

Reason To protect the residential amenity of nearby properties.

All plant and machinery shall be maintained and serviced in accordance with the manufacturer's instructions so as to stay in compliance with the aforementioned noise limits.

Reason To protect the residential amenity of nearby properties.

Informative

Water Supply

As the proposal may result in the general public consuming the water from the private water supply, the supply will be classed as a Type A. This will mean that the supply will be subjected to annual water testing and a risk assessment of the supply. The applicant should contact an Environmental Health Officer before becoming operational to discuss testing of the water.

Private Drainage

Private drainage systems often cause public health problems when no clear responsibility or access rights exists for maintaining the system in a working condition.

Problems can also arise when new properties connect into an existing system and the rights and duties have not been set down in law.

To discharge the Condition relating to the private drainage arrangements, the Applicant should produce documentary evidence that the maintenance duties on each dwelling served by the system have been clearly established by way of a binding legal agreement. Access rights should also be specified.

Wood Burning Stoves

These installations can cause smoke and odour complaints and any Building and Planning Consents for the installation do not indemnify you in respect of Nuisance action. In the event of nuisance action being taken there is no guarantee that remedial work will be granted building/planning permission.

Accordingly this advice can assist you to avoid future problems.

The location of the flue should take into account other properties that may be downwind.

The discharge point for the flue should be located as high as possible to allow for maximum dispersion of the flue gasses.

The flue should be terminated with a cap that encourages a high gas efflux velocity.

The flue and appliance should be checked and serviced at regular intervals to ensure that they continue to operate efficiently and cleanly.

The appliance should only burn fuel of a type and grade that is recommended by the manufacturer. If you live in a Smoke Control Area you must only use an Exempt Appliance <http://smokecontrol.defra.gov.uk/appliances.php?country=s> and the fuel that is Approved for use in it <http://smokecontrol.defra.gov.uk/fuels.php?country=s> .

In wood burning stoves you should only burn dry, seasoned timber. Guidance is available on - [http://www.forestry.gov.uk/pdf/eng-woodfuel-woodasfuelguide.pdf/\\$FILE/eng-woodfuel-woodasfuelguide.pdf](http://www.forestry.gov.uk/pdf/eng-woodfuel-woodasfuelguide.pdf/$FILE/eng-woodfuel-woodasfuelguide.pdf)

Treated timber, waste wood, manufactured timber and laminates etc. should not be used as fuel.

Paper and kindling can be used for lighting, but purpose made firelighters can cause fewer odour problems.

PLANNING CONSULTATION

To: Economic Development Section

From: Development Management

Date: 19th July 2016

Contact: Andrew Evans ☎ 01835 826739

Ref: 16/00844/FUL

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Agent: Ferguson Planning

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Site: Land North West Of 4 Rink Farm Cottages Galashiels Scottish Borders

OBSERVATIONS OF: Economic Development Section

CONSULTATION REPLY

Economic Development supports the application for the provision of new holiday accommodation at land north west of Rink Farm Cottages, Galashiels. The application fits with the Scottish Borders Tourism Strategy 2013-2020 strategic target by:

- Increasing volume of overnight visitors.
- Increasing overnight visitor spend.
- Ensure the Region's accommodation offerings meet consumer demands and where opportunities are available can act as an attractor of demand in themselves.
- Ensure a relevant range of types of accommodation is available across the Region to meet evolving market demand and expectations. Identify opportunities where better quality and new products can 'lead' and generate new demand and continue to raise average quality quotient across all forms of accommodation.