

SCOTTISH BORDERS COUNCIL

PLANNING AND BUILDING STANDARDS COMMITTEE

8 JANUARY 2018

APPLICATION FOR PLANNING PERMISSION

ITEM:	REFERENCE NUMBER: 17/01342/PPP
OFFICER:	Julie Hayward
WARD:	Selkirkshire
PROPOSAL:	Demolition of existing building and erection of four dwellinghouses
SITE:	Site at Industrial Buildings and Yard Elders Drive, Newtown St Boswells
APPLICANT:	Craigmount Properties
AGENT:	Sidney Palmer

SITE DESCRIPTION

The application site is situated at the southern edge of Newtown St Boswells. It comprises of two industrial buildings and a large yard area, which is now overgrown. Access is from the B6398 along a private access road that also serves Milestone Garden Centre, Borders Agricultural College, Travis Perkins and two dwellinghouses (Viewfield and St Ronans) to the north of the site.

The Travis Perkins depot adjoins the site to the south east and there is agricultural land separated by a tree belt to the south west. Serviceline garage is on significantly lower ground to the north west, Viewfield and St Ronan's are to the north and there is a dwellinghouse, Balgownie, and paddock to the east.

PROPOSED DEVELOPMENT

This application for Planning Permission in Principle seeks consent to demolish the industrial buildings and to erect four detached dwellinghouses with garages. Access would be via the existing access road into the site. The proposal includes a vehicular link through the site to the allocated housing site to the south west. One visitor parking space would be provided at the entrance to the development and an area is allocated for refuse storage.

Foul water drainage would be via the existing private foul drain connected to the mains sewer and surface water drainage would be to a ground soakaway system for each dwelling. The water supply would be from the public mains.

PLANNING HISTORY

97/00042/FUL: Residential development. Withdrawn 15th February 2000.

REPRESENTATION SUMMARY

Four representations have been received objecting to the application and one general comment. These can be viewed in full on the Public Access portal on the Council's website. The principle issues raised are:

- The width of the access road is not sufficient to deal with the extra traffic, there will be conflict with heavy vehicles associated with Travis Perkins and there are no passing places. The proposal, would result in a higher risk of accidents, affect access for emergency vehicles and block the access to Viewfield House. Visibility is poor and tidying up of the roadside verges will not improve the situation.
- Planning permission was refused on the site in the 1990's due to the inadequate access.
- The premises have been occupied by Oliver Engineering (Borders) Ltd since 2008, which is a local, family business that may have to close or leave the area. The proposal would result in the loss of the historic industrial buildings. Local Development Plan policies seek to protect industrial land and the proposal would result in the loss of an industrial site in favour of housing.
- The site is used for steel fabrication since 2000 and not for storage as referred to in the application description. There are no other suitable sites in Newtown St Boswells for this business. Retaining this business would have economic benefits for the local community that detached houses and the business is developing due to increased demand from local construction firms for metal frame fabrication.
- There is already affordable housing being built at Sergeant's Park and additional houses are not required and would not bring any benefits to the local community.
- The waste water drainage system is not adequate to cater for the development, which will impact on existing properties.
- There are protected species (bats, barn owls and badger) and no surveys have been undertaken. This green area would be lost and the ecosystems it supports.
- Work to provide a new drainage system would cause disruption and a loss of business to Serviceline and any costs to the business should be met by the developer.

APPLICANTS' SUPPORTING INFORMATION

None

CONSULTATION RESPONSES:

Scottish Borders Council Consultees

Roads Planning Service: I have no objections to this level of development subject to the following matters being addressed to the Council's satisfaction:

1. Parking and turning for a minimum of two vehicles, excluding any garages, must be provided within the curtilage of each plot prior to the occupation of the dwelling; thereafter they must be retained in perpetuity.

2. Visitor parking for a minimum of one vehicle must be provided within the development prior to the occupation of the first dwelling and be retained thereafter in perpetuity.
3. Details to be provided for the construction of the turning area (shown B on plan C.P./EY/SD 01 (of 02)).

I note that reference has been made within the objections to previous proposals for this site and our response to those. At that time, the level of development proposed required a public road and this could not be provided within the land available. For current standards the level of development does not require to be served directly by a public road. The lane in question currently caters for the vehicles associated with the adjoining businesses and the business which currently occupies the site. Once any construction is completed, thereafter, the vehicles using the top section of the lane would only be those associated with private residences while the lower section would still cater for the vehicles it currently does. In terms of numbers, I do not envisage this being an unacceptable increase especially considering the number of larger vehicles would be likely to decrease. The lane has areas where two such vehicles could pass and the start and finish are inter-visible. Overall, I am of the opinion the access will be able to cater for the associated traffic.

The site is immediately adjacent to allocated site ANEWT005 in the Local Development Plan. As such any eventual building and access layout associated with this planning application should not prejudice the possibility of a pedestrian/cycle link between Site ANEWT005 and the main street through the village. It should be noted that, physically, there is the potential for a vehicular access link between Site ANEWT005 and the main street through the village via this site, though third party land would be required.

Access Officer: There are Core paths and permissive paths in the area of road and woodland to the north of this site. There is evidence of use by walkers along a narrow path along the edge of the woodland and through the site (Plot 4) and linking with the access driveway and B3698 beyond the site.

This is not currently recorded as a right of way or permissive path on the records of Scottish Borders Council. Some management by the developer of this current and future pedestrian use would be appropriate before, during and after development. There are opportunities to manage this creatively in the final design.

It is also noted that this area lies immediately adjacent to the Newtown St Boswells Planning Framework Area which includes plans for possible future roadways and pathways which would, if developed in the future, provide access to the north and west of the site to the village and wider path network.

The schematic design layout shows an area A as a link road and the width should allow for pedestrian use in addition to vehicular use.

Housing Section: On-site provision of affordable housing is not required but developer contributions will be.

Director of Education and Lifelong Learning: The proposed development is within the catchment area for Newtown Primary School and Earlston High School. A contribution of £7,765 x 4 is sought for the Primary School and £3,428 x 4 is sought for the High School, making a total contribution of £44,772.

Environmental Health: This type of development can cause unacceptable impacts on the amenity of other occupiers unless the site activities are properly supervised and regulated. A condition is required.

The application appears to be proposing the redevelopment of land which previously operated as an engineering works. This land use is potentially contaminative and it is the responsibility of the developer to demonstrate that the land is suitable for the use they propose. It is recommended that planning permission should be granted on condition that development is not be permitted to start until a site investigation and risk assessment has been carried out, submitted and agreed upon by the Planning Authority. Any requirement arising from this assessment for a remediation strategy and verification plan would become a condition of the planning consent, again to be submitted and agreed upon by the Planning Authority prior to development commencing.

Ecology Officer: With regard to designated sites, the Borders Woods Special Area of Conservation and the River Tweed Special Area of Conservation are located 94m and 875m (respectively) south of the site. Given the small footprint of the site and the nature of the works, there are unlikely to be impacts on these sites. Care should be taken to follow SEPA's pollution prevention guidance in relation to proposed drainage arrangement.

Regarding protected species, there are observations of barn owl and birds such as swallow and bullfinch within 60m of the site. There is a record for whiskered bat, although an older record (1989). The site may also afford opportunities for badger given its situation close to woodland with open grassland to the south west.

The structures themselves being in constant use and otherwise well-sealed are unlikely to afford opportunities for barn owl. Similarly, the structures offer negligible potential for hibernating bats, given they are subject to use and disturbance, have minimal cracks and crevices and given the type of roof material and the fact that the roof cavity is open with windows within the roof. However, the potential for bats to be present in small numbers during the active bat season (May-September) cannot be completely ruled out. The surrounding habitat is of high quality for bats, with plenty of shrubs, trees, open grassland and the Newton Burn, leading onto the River Tweed.

There is potential nesting habitat for breeding birds and foraging habitat for badger on site. Conditions are required to secure surveys for bats, breeding birds and badger.

Statutory Consultees

Transport Scotland: The Director does not advise against the granting of planning permission.

Newtown St Boswells and Eildon Community Council: Object:

- The site is not used as storage but by an engineering business. Oppose the application as there is a shortage of industrial land in the village. The Local Development Plan seeks to protect industrial land and the Council recognises the lack of industrial land in the village. The proposal would result in the loss of an industrial site and thriving local business.

- There is no requirement for housing development on this site as sufficient land has been allocated for housing in the Local Development Plan.
- Inadequate foul and surface water drainage.
- Inadequate access for increased traffic.
- The land is contaminated by fuel storage tanks and a comprehensive survey and remediation would be required.

Other Consultees

None.

DEVELOPMENT PLAN POLICIES:

SES Plan Strategic Development Plan 2013

Policy 1B: The Spatial Strategy: Development Principles

Local Development Plan 2016

PMD2: Quality Standards

PMD5: Infill development

HD3: Protection of Residential Amenity

EP3: Local Biodiversity

EP13: Trees, Woodlands and Hedgerows

IS2: Developer Contributions

IS3: Developer Contributions Related to the Borders Railway

IS7: Parking Provision and Standards

IS9: Waste Water Treatment Standards and Sustainable Urban Drainage

IS13: Contaminated Land

OTHER PLANNING CONSIDERATIONS:

Supplementary Planning Guidance:

Placemaking and Design January 2010

Developer Contributions April 2015

Guidance on Householder Developments July 2006

Newtown St Boswells Development Framework February 2012

KEY PLANNING ISSUES:

- Loss of industrial land/buildings;
- Whether this is an appropriate infill site for residential development;
- The impact of the development on the visual amenities of the area;
- The impact on residential amenities;
- Road safety, traffic generation and access;
- Drainage;
- Impact on protected species and habitat;
- Potential contamination of the land.

ASSESSMENT OF APPLICATION:

Planning Policy

The site is within the Development Boundary for Newtown St Boswells. The site is not allocated for any specific use within the Local Development Plan and so the proposal has to be assessed against policy PMD5 – Infill Development. Within development boundaries development on non-allocated, infill or windfall sites will be approved if certain criteria are met. These criteria will be assessed within this report.

One criterion is that the proposal should not conflict with the established land use of the area. In this case, the surrounding area is characterised by a variety of uses, including the garden centre (retail), education (Borders College), residential and storage and distribution. It is considered that the proposed development of the site to provide dwellinghouses would be in keeping with the mixed use nature of this area within the village.

Land for housing has been allocated within the Development boundary for 900 houses, including the land to the south west of this site (ANEWT005: Newtown Expansion Area). In addition, land at Sergeant's Park is currently being developed for housing (53 units) and planning permission has been granted for 41 houses on land adjacent to Milestone Garden Centre. However the Planning Authority still has a duty to assess this current proposal against policy PMD5.

The site is currently in industrial use and the proposal would result in the existing engineering business having to relocate. There is an area of safeguarded business and industrial land in Newtown St Boswells (zEL36: Waverley Place) and business and industrial land has been allocated at Tweed Horizons and Charlesfield in the longer term, though it is accepted that these sites may not meet the needs of the business operating from within the site. It is unfortunate that the proposal would result in the business having to locate but this is not a sufficient reason to recommend refusal of the application.

The Council's Development Framework for Newtown St Boswells 2012 sets out the Council's approach to successful development and regeneration of the village. The site is not allocated for any specific use but a vehicle/cycle/pedestrian access is shown through the site linking into the Expansion Area to the south west.

Siting, Layout and Design

Policy PMD2 requires all development to be of high quality in accordance with sustainability principles, designed to fit in with Borders townscapes and to integrate with its landscape surroundings. The policy contains a number of standards that would apply to all development. Policy PMD5 requires that the development respects the scale, form, design, materials and density of its surroundings; the individual and cumulative effects of the development should not lead to over-development or town cramming; the proposal should not detract from the character and amenity of the surrounding area.

The indicative drawing submitted with the application shows four large detached dwellinghouses each with a garage arranged around a centrally located access road. The site is large enough to adequately accommodate four houses, on-site parking and garden ground without it constituting overdevelopment. This would be a low density development appropriate for the edge of a settlement.

As this is a Planning Permission in Principle application no details of the design or materials of the development have been submitted; these aspects would be controlled by the detailed or Approval of Matters Specified in Conditions application should Members be minded to approve this application.

Impact on the Visual Amenities of the Area

The existing industrial buildings are of no great architectural or historic merit and there are no objections to their demolition (which could take place without the need for planning permission).

There is a tree belt on the south west boundary of the site that would act as a backdrop to the development and a screen when viewed from the wider countryside. When viewed from the village centre, the site sits above the Serviceline garage on much higher ground and there is partial tree screening. Further south, Viewfield and St Ronans, sitting above the B6398, and trees and hedges screen the site from view.

It is considered that with appropriate siting, scale, design and materials at the detailed application stage, the proposal would not harm the visual amenities of the area.

Impact on Residential Amenities

Policy PMD5 states that the development should not result in any significant loss of daylight, sunshine or privacy to adjoining properties as a result of overshadowing or overlooking. Policy HD3 also states that development that is judged to have an adverse impact on the amenity of residential areas will not be permitted. The Council's Supplementary Planning Guidance: Guidance on Householder Developments July 2006 contains guidance on privacy, overlooking and access to light that can be applied when considering planning applications for new developments to ensure that proposals do not adversely affect the residential amenities of occupants of neighbouring properties.

The side elevation of Balgownie is approximately 40m from the site boundary. St Ronans is 20m and Viewfield is 11m from the site boundary, though the indicative drawing shows the dwellinghouse on plot 4 would be 9m from the site boundary, making it 20m in total from Viewfield.

Careful siting and design of the dwellinghouse and the placing of windows at the detailed application stage and retaining the existing boundary treatment would ensure that no loss of light or privacy occurs to occupants of the existing properties.

Environmental Health has requested a condition to secure a construction and demolition method statement in order to control noise, dust and lighting during the construction phase.

Access and Parking

Policy PMD5 requires that adequate access and servicing can be achieved. Policy IS7 – Parking Provision and Standards requires that car parking should be provided in accordance with the Council's adopted standards.

The site would utilise the existing access road from the public road to access the site. No upgrading works are proposed. Within the site there would be a turning area and

one visitor parking space. There would be adequate space within the each plot to accommodate two on-site parking spaces, a turning area and the proposed garages.

Concern has been expressed regarding the suitability of the access road to serve this level of development and the conflict that would occur with other, commercial users.

The Roads Planning Service has no objections to the proposal, provided their requirements for on-site parking and turning are achieved. These issues can be controlled by conditions.

The Roads Planning Service advises that the level of development does not require to be served directly by a public road. The lane in question currently caters for the vehicles associated with the adjoining businesses and the business which currently occupies the site. Once any construction is completed, the vehicles using the top section of the lane would only be those associated with private residences while the lower section would still cater for the vehicles it currently does. In terms of numbers, this would not be an unacceptable increase, especially considering the number of larger vehicles would be likely to decrease. The lane has areas where two such vehicles could pass and the start and finish are inter-visible.

The site is adjacent to allocated site ANEWT005 in the Local Development Plan and this requires the expansion sites to be fully integrated with the existing street network in the village. The Roads Planning Service advises that there is the potential for a vehicular access link between Site ANEWT005 and the main street through the village via this site, though third party land would be required. Any development on this site should not prejudice the possibility of a pedestrian/cycle link between Site ANEWT005 and the main street through the village. This is shown in the Development Framework.

The indicative layout drawing submitted with the application shows a vehicular link through the site into the Expansion Area. The Council's Access Officer requires this to include a pedestrian access. This link can be secured by a condition.

The Council's Access Officer advises that there is evidence of use by walkers along a narrow path along the edge of the woodland to the west of the site, through the site (Plot 4) and linking with the access driveway and B3698 beyond the site. This is not currently recorded as a right of way or permissive path on the records held by the Council. The Access Officer has requested that the route is incorporated into the detailed design for the site to allow continued access. This can be secured by a planning condition.

Trees

Policy EP13 seeks to protect trees from development. There are a number of trees on the boundary of the site, though it is not clear whether these are within the site or on adjacent land, and it is desirable to retain and protect these trees. The application form states that no trees would be felled and given the size of the site, it should be possible to site the proposed houses without affecting these trees.

Biodiversity

Policy EP3 states that development that would have an unacceptable adverse effect on Borders Notable Species and Habitats of Conservation Concern will be refused unless it is demonstrated that the public benefits of the development outweigh the value of the habitat for biodiversity conservation.

Concern has been expressed by third parties that there are protected species (bats, barn owls and badger) within the site.

The Council's Ecology Officer has been consulted on the application and advises that there are unlikely to be any adverse impacts on the Borders Woods Special Area of Conservation and the River Tweed Special Area of Conservation provided that SEPA's pollution prevention guidance is followed in relation to the proposed drainage arrangement.

Regarding protected species, there are records of barn owl, birds and bats. The site may also afford opportunities for badger, given its situation close to woodland with open grassland to the south west. The structures themselves being in constant use and otherwise well-sealed are unlikely to afford opportunities for barn owl or bats. However, the potential for bats to be present in small numbers during the active bat season (May-September) cannot be completely ruled out. The surrounding habitat is of high quality for bats, with plenty of shrubs, trees, open grassland and the Newton Burn, leading onto the River Tweed.

Taking this into account, the Ecology Officer has requested conditions to secure surveys for bats, breeding birds and badger as part of the detailed or Approval of Matters Specified in Conditions application.

Water and Drainage

Policy IS9 states that the preferred method of dealing with waste water associated with new development would be a direct connection to the public sewerage system.

Foul water drainage would be via the existing private foul drain connected to the mains sewer and surface water drainage would be to a ground soakaway system for each dwelling. The water supply would be from the mains.

Concerns have been expressed about the ability of the existing drainage system to cope with the new development and the impact this may have on existing properties and business.

The exact details of the surface and foul water drainage would be approved as part of the Building Warrant but it is reasonable, given these concerns, that specific details of the drainage are submitted with the first detailed application for this development.

Contaminated Land

Policy IS13 advises that where development is proposed on land that is contaminated or suspected of contamination, appropriate site investigation and mitigation will be required.

The Council's Contaminated Land Officer advises that the site is being used as an engineering works. This land use is potentially contaminative and it is the responsibility of the developer to demonstrate that the land is suitable for the use they propose. A condition is required that development is not permitted to start until a site investigation and risk assessment has been carried out, submitted to and agreed upon by the Planning Authority together with a remediation strategy and verification plan.

Developer Contributions

Financial contributions, in compliance with policies IS2 and IS3, are required in respect of education (Newtown St Boswells Primary School and Earlston High School), affordable housing and the Borders railway. These would be secured by a Section 75 legal agreement.

CONCLUSION

Subject to a legal agreement and compliance with the schedule of conditions, the development will accord with the relevant provisions of the Local Development Plan 2016 and there are no material considerations that would justify a departure from these provisions.

RECOMMENDATION BY CHIEF PLANNING OFFICER:

I recommend the application is approved subject to a legal agreement addressing contribution towards (education, affordable housing and the Borders railway) and the following conditions:

1. No development shall commence until the details of the layout, siting, design and external appearance of the building(s), the means of access thereto and the landscaping of the site have been submitted to and approved in writing by the Planning Authority.
Reason: To achieve a satisfactory form of development, and to comply with the requirements of Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.
2. No development shall commence until all matters specified in conditions have, where required, been submitted to and approved in writing by the Planning Authority. Thereafter the development shall only take place except in strict accordance with the details so approved.
Reason: To achieve a satisfactory form of development, and to comply with the requirements of Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.
3. Unless otherwise agreed in writing and in advance by the Planning Authority, prior to any development commencing on site, a scheme will be submitted by the Developer (at their expense) to identify and assess potential contamination on site. No construction work shall commence until the scheme has been submitted to, and approved, by the Council, and is thereafter implemented in accordance with the scheme so approved.

The scheme shall be undertaken by a competent person or persons in accordance with the advice of relevant authoritative guidance including PAN 33 (2000) and BS10175:2011 or, in the event of these being superseded or supplemented, the most up-to-date version(s) of any subsequent revision(s) of, and/or supplement(s) to, these documents. This scheme should contain details of proposals to investigate and remediate potential contamination and must include:-

- a) A desk study and development of a conceptual site model including (where necessary) a detailed site investigation strategy. The desk study and the scope and method of recommended further investigations shall be agreed with the Council prior to addressing parts b, c, d, and, e of this condition.

and thereafter

- b) Where required by the desk study, undertaking a detailed investigation of the nature and extent of contamination on site, and assessment of risk such contamination presents.
- c) Remedial Strategy (if required) to treat/remove contamination to ensure that the site is fit for its proposed use (this shall include a method statement, programme of works, and proposed validation plan).
- d) Submission of a Validation Report (should remedial action be required) by the developer which will validate and verify the completion of works to a satisfaction of the Council.
- e) Submission, if necessary, of monitoring statements at periods to be agreed with the Council for such time period as is considered appropriate by the Council.

Written confirmation from the Council, that the scheme has been implemented completed and (if appropriate), monitoring measures are satisfactorily in place, shall be required by the Developer before any development hereby approved commences. Where remedial measures are required as part of the development construction detail, commencement must be agreed in writing with the Council.

Reason: To ensure that the potential risks to human health, the water environment, property, and, ecological systems arising from any identified land contamination have been adequately addressed.

- 4. A Design Brief to be submitted with the first Approval of Matters Specified in Conditions application or detailed application for the site setting out the design rationale for the development and demonstrating an appropriate form, scale and design of development and external materials taking reference from the character of the site and its context. Once approved any subsequent application then to comply with the approved Design Brief.

Reason: To ensure a high standard of design, given the character of the site and its context and to ensure that the development achieves a consistent and co-ordinated level and form of design should the site be developed incrementally by separate developers.

- 5. Parking and turning for a minimum of two vehicles, excluding any garages, must be provided within the curtilage of each plot prior to the occupation of the dwellinghouse and thereafter the parking must be retained in perpetuity.

Reason: To ensure that adequate parking is provided within each plot, in the interests of road safety.

- 6. Visitor parking for a minimum of one vehicle must be provided within the development prior to the occupation of the first dwellinghouse and be retained thereafter in perpetuity.

Reason: To ensure that adequate parking is provided for visitors to the development, in the interests of road safety.

- 7. A detailed drawing to be submitted with the first detailed or Approval of Matters Specified in Conditions application showing the specification (position, width, surfacing material, drainage) of the access into the site, the turning area (shown

B on Drawing Number C.P./EY/SD 01), the visitor parking space and driveways to serve each plot. The access and turning area then to be completed in accordance with the approved specification before any dwellinghouse is occupied and the driveways to be completed in accordance with the approved specification before the dwellinghouse that it serves is occupied.

Reason: To ensure the site and dwellinghouses can be accessed safely.

8. The route to the adjacent land to the south west (and marked as A on Drawing Number C.P./EY/SD 01) to be safeguarded from development and not to be incorporated into the curtilage of any of the dwellinghouses hereby approved.

Reason: To allow connectivity with the adjacent land allocated in the Local Development Plan 2016 for housing development (ANEWT005).

1. Full details of the means of water supply and the surface water and foul water drainage to be submitted with the first Approval of Matters Specified in Conditions application or detailed application for the site. Once approved in writing by the Planning Authority, the development then to be implemented in accordance with the approved details and the water supply and drainage installed as approved before the first dwellinghouse is occupied.

Reason: To ensure that the site is adequately serviced.

2. No trees or hedges within the application site or on the site boundary shall be felled, removed, lopped, lifted or disturbed in any way without the prior consent of the Planning Authority.

Reason: The existing trees represent an important visual feature which the Planning Authority considered should be substantially maintained.

1. A detailed drawing to be submitted with the first Approval of Matters Specified in Conditions application or detailed application for the site showing the position, species and root protection area of the trees and hedges within the site and overhanging the site, those to be retained, those to be felled and replanting proposals. Once approved in writing by the Planning Authority the development then to be completed in accordance with the approved details.

Reason: As the trees and hedges are worthy of retention and contribute to the visual amenities of the area.

2. A detailed drawing to be submitted with the first Approval of Matters Specified in Conditions application or detailed application for the site showing the position and construction details of a public path through the site from the western corner (plot 4 on Drawing Number C.P./EY/SD 01) through to the vehicular access to the site. Once approved in writing by the Planning Authority, the footpath to be completed in accordance with the approved specification before the first dwellinghouse is occupied.

Reason: To maintain and enhance connectivity and public access through the site.

3. Details of all proposed means of enclosure around the site and between the plots to be submitted with the first Approval of Matters Specified in Conditions application or detailed application for the site. Once approved in writing by the Planning Authority the development then to be completed in accordance with the approved details.

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

4. No development shall take place except in strict accordance with a scheme of soft landscaping works which shall first have been submitted to and approved in writing by the Planning Authority, and shall include:
 - i. indication of existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their restoration;
 - ii. location of new trees, shrubs, hedges and grassed areas;
 - iii. schedule of plants to comprise species, plant sizes and proposed numbers/density;
 - iv. programme for completion and subsequent maintenance of all existing and proposed planting.

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

5. Bat surveys by a suitably qualified person for all buildings to be demolished and undertaken in accordance with good practice guidelines to be submitted with the first Approval of Matters Specified in Conditions application or detailed application for the site for approval in writing by the Planning Authority. The survey requirement should be informed by an initial Preliminary Roost Assessment undertaken by a suitably qualified person. If evidence of bats or their roosts is found in the surveys, the applicant will be required to submit as part of their submission to the Planning Authority a Species Protection Plan for bats.

Reason: To protect protected species within the site.

6. A survey of breeding birds for all buildings to be demolished and a Species Protection Plan for birds to be submitted with the first Approval of Matters Specified in Conditions application or detailed application for the site for approval in writing by the Planning Authority. No demolition or development shall be undertaken during the breeding bird season, except in accordance with the approved Species Protection Plan, which shall contain provision for mitigation and supplementary surveys. Mitigation may involve provision of alternative nest sites, protection of breeding habitats where appropriate and the design of the site should protect and enhance foraging habitat for breeding birds as appropriate.

Reason: To protect breeding birds within the site.

7. A survey for badger to be submitted with the first Approval of Matters Specified in Conditions application or detailed application for the site for approval in writing by the Planning Authority. Where it is established that badgers are using the site, the applicant will be required to submit as part of their submission to the Planning Authority a Species Protection Plan for badger. Once approved in writing by the Planning Authority the development shall, thereafter, be carried out in accordance with the approved plan.

Reason: To protect protected species within the site.

8. No demolition or development to commence until a Construction and Demolition Method Statement has been submitted to and approved in writing by the Planning Authority. Once approved this document will form the operational parameters under which the development will be operated and managed. The plan must address the following:

- Hours of operation;
- Vehicle movement;
- Protection and monitoring of private water supplies;
- Noise mitigation/ equipment maintenance;

- Dust – mitigation and management;
 - Lighting – prevention of nuisance;
 - Complaints procedure/ communication of noisy works to receptors.
- Reason: To protect the amenity of nearby residential properties.

DRAWING NUMBERS

C.P./EY/D+SD 01 Schematic Design Layout
 C.P./EY/D+SD 02 Schematic Design Layout (Access Road)
 C.P./EY/D+SD 03 Location Plan

Approved by

Name	Designation	Signature
Ian Aikman	Chief Planning Officer	

The original version of this report has been signed by the Service Director (Regulatory Services) and the signed copy has been retained by the Council.

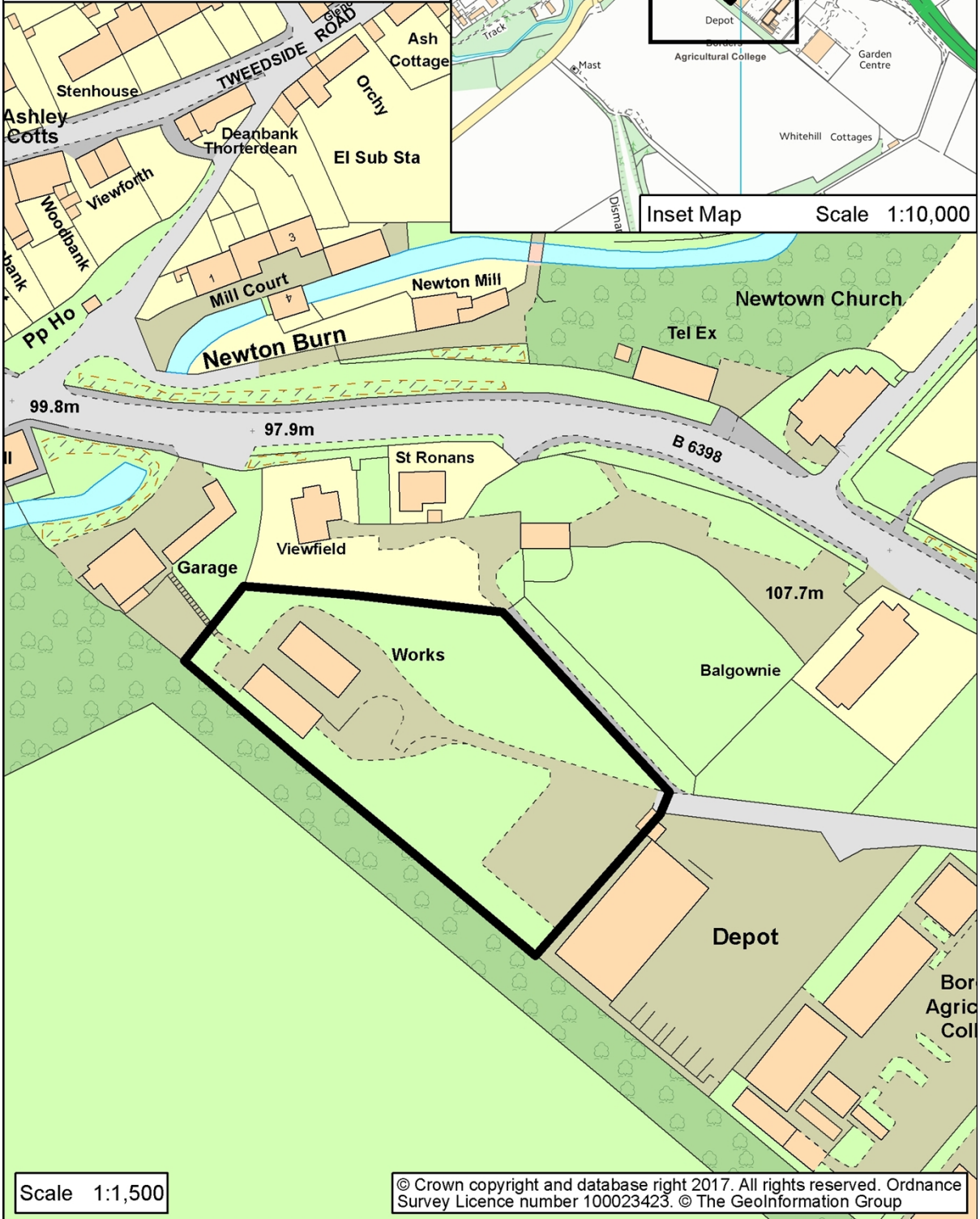
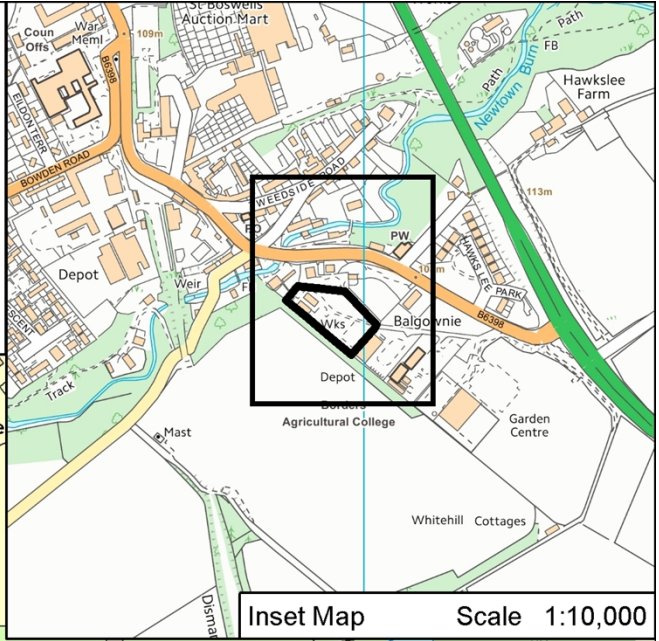
Author(s)

Name	Designation
Julie Hayward	Lead Planning Officer



17/01342/PPP

Site At Industrial Buildings And Yard
Elders Drive
Newtown St Boswells



Scale 1:1,500