

**SCOTTISH BORDERS COUNCIL**

**PLANNING AND BUILDING STANDARDS COMMITTEE**

**26 MARCH 2018**

**APPLICATIONS FOR PLANNING PERMISSION**

<b>ITEM:</b>	<b>REFERENCE NUMBER:</b> 17/01625/FUL : 17/01633/FUL
<b>OFFICER:</b>	Mr C Miller
<b>WARD:</b>	Tweeddale West
<b>PROPOSAL:</b>	17/01625/FUL - Improvement and construction of mountain bike trails, extension to existing car parking facilities, demolition of buildings and associated works 17/01633/FUL - Erection of holiday complex comprising of 56 timber cabins, central hub, cycle store, managers accommodation, new access and associated works
<b>SITE:</b>	17/01625/FUL – Glentress, Peebles 17/01633/FUL - Kittlegairy Hill North Of Linnburn Farmhouse, Peebles
<b>APPLICANT:</b>	17/01625/FUL – Forest Enterprise Scotland 17/01633/FUL - Forest Holidays Ltd
<b>AGENT:</b>	17/01625/FUL – Ferguson Planning

**SITE DESCRIPTION**

The site which is the subject of application 17/01625/FUL is located within the lower southern part of Glentress Forest and Visitor Centre, east of Eshiels and north of the A72. The complex is a major tourist attraction serving over 300,000 visitors per annum and is part of the 7Stanes cycle trail network. The site is accessed from the A72 adjoining the Glentress Hotel, the access road serving several car parks, the facilities operated by Forest Enterprise, three houses, a separate wig wam/camping business and the upper reaches of the main Glentress Forest, which includes Go Ape. Glentress Peel is operated by Forest Enterprise and includes a café, bike shop, toilets, offices and a number of storage buildings at the overspill car parking areas.

Current parking provision consists of 134 spaces at the main centre, 92 spaces within the upper and lower car parks and 121 spaces some distance to the north at Buzzard's Nest within the site covered by application 17/01633/FUL. There are 70km of trails within the forest which contribute to the attraction of the facility, offering a different range of experiences, levels of difficulty and terrain.

The application site stretches across 248 hectares and includes the main entrance area from the A72, all car parks (except Buzzard's Nest), a range of existing buildings to the west of the access road, rising agricultural land and forest around and to the north of Glentress Peel and open land to the east of the current car park. The site lies within the Tweed Valley Special Landscape Area and is in proximity to a number of Scheduled Monuments.

The site which is the subject of application 17/01633/FUL largely consists of the mixed

coniferous forest area around Kittlegairy Hill, 1.5km north of the Glentress Visitor Centre and covering 29 hectares of ground, including access road. The site includes the current Buzzard's Nest car park, a quarry and the current bike skills area, together with a number of forest tracks and trails through the site. The site is accessed via a forest road from the main Glentress Centre. The ground generally drops to the south and west although there is a ridgeline passing through the site, containing the current bike skills area. The site lies within the Tweed Valley Special Landscape Area and is in proximity to a number of Scheduled Monuments. The Soonhope Valley lies to the west and south-west of the site containing holiday huts, a farmhouse and kennels.

## **PROPOSED DEVELOPMENT**

Both applications relate to the development of land within the ownership of Forest Enterprise Scotland, 17/01625/FUL reorganising and re-designing car parking, paths and biking trails as a result of Forest Holidays Ltd occupying the upper part of Glentress Forest and the Buzzard's Nest car park with the chalet development 17/01633/FUL. The applications are presented to Committee together as there are phasing and timing links to ensure recreational facilities and parking remain and are improved at the site. Both applications are aimed at maintaining and enhancing the reputation of the visitor attraction at Glentress, diversifying the attraction, delivering the vision of the Glentress Masterplan and benefitting the local economy and further investment at the complex through facilitating holiday cabin development.

17/01625/FUL proposes the following:

- Demolition of existing buildings in the area of the overspill car parks – the Dutch Barn and “Howff” buildings will be removed and replaced with additional parking, increasing the upper car park especially from 39 – 152 spaces. The lower car park will increase from 53 – 65. This total increase is offset by the loss of 121 spaces deeper in the forest at the Buzzard's Nest car park which will become dedicated to the chalet development.
- Entrance barrier system at the main entrance to Glentress – designed to be more effective in capturing income from the use of the car parks and facilities. Would employ number plate recognition and only allow exit from the facility once payment has been made on site – but there will be no prevention of entry and a 30 minute period will allow free visit and drop-off.
- New mountain biking trails and a replacement bike skills area - this will involve 16.5km of four different trails of varying difficulty to the north of the application site and ending around Glentress Peel, involving works to approximately 3.9HA of the 248HA site, the vast majority of the forest remaining untouched. Taster trails will also be provided as replacement for the Freeride facility being lost at the Buzzard's Nest car park. The skills area will be relocated from the site within the holiday cabin development, positioned on land to the east of the Peel car park and closer to existing facilities.
- Multi-use path – 1.5km of easy access path will allow use by non-bikers to spectate the repositioned trails and skills areas with seating, looping around Glentress Peel and linking many of the facilities.
- Additional fencing, planting and infrastructure works – including fencing within the upper car park, improvements in linking paths and new planting, especially around Glentress Peel and the skills/trails areas.

17/01633/FUL proposes the following:

- 56 timber holiday cabins providing 1-4 bed roomed units plus three with tree house bedrooms – the mix will be predominantly two and three bed cabins (41) with seven one-bed cabins and seven four-bed cabins, three of those with tree houses. All are single storey in height except the seven four-bed cabins which are 1.5 storey. The design uses a stepped pitched roof in tiles, full timber wall cladding and gable glazed areas with decking. Information is also provided on ground treatment which is tree-friendly involving pile foundations. The cabins will be timber clad utilising low impact lighting on and around the cabins, motion triggered. Each cabin will have a bike store and there will be occasional laundry pod structures throughout the layout.
- Three cabins providing staff accommodation, two within the quarry and one to the north-east of the site. The cabins within the quarry will be caravans clad to look like cabins whilst the larger one will be a standard four-bed cabin design.
- Central Hub building to the north of the Buzzard's Nest car park - will contain a reception, small shop and café/bar. Designed to match with timber cabins.
- Maintenance yard within existing quarry with plant and ancilliary buildings, storage and refuse collection point. Open Ranger Station at the car park with Cycle Store. Quarry to be selectively restored.
- Buzzard's Nest car park reused but reduced in size to 40 spaces with landscaping and access improvements.
- Bike skills area relocated to Glentress Peel and replaced with landscaped picnic area.
- Allocated parking spaces for each cabin. Roads and parking spaces same crushed stone as forest tracks.
- Entrance barrier system immediately north of the Go Ape facility with number plate recognition barrier.

Application 17/01625/FUL was supported by the following notable documents which are all available to view on Public Access, with the exception of a Protected Species Survey Report, badger report and three bat surveys and reports:

- Pre Application Consultation Report
- Planning Statement
- Design and Access Statement
- Agent response letter 20 February 2018
- Landscape and Visual impact Assessment with Appendices
- Economic Impact Report
- Transport Statement
- Existing Car Parking
- Archaeology Assessment
- Breeding Birds Survey
- Amphibian Survey

Application 17/01633/FUL was supported by the following documents which are all available to view on Public Access, with the exception of an Ecological Procedural Method Statement, Protected Species Report and badger report:

- Pre Application Consultation report
- Design and Access Statement
- Transport Statement
- Transport Assessment and Outline Travel Plan

- Landscape and Visual Impact Assessment with Appendices
- Woodland Enhancement and Management Plan
- Habitat Survey Report
- Ecology Summary
- Archaeological Desk Based Assessment
- Demand and Economic Benefit Assessment
- Community Benefits Plan
- Lighting Management Strategy
- Noise Statement
- Tree Survey, Arboricultural Constraints and Method Statement
- Review of Ancient Woodland
- Operational Management Plan
- Construction Management Plan
- Energy Efficiency Report
- Air Quality Assessment
- Drainage Strategy
- Borehole Feasibility Review
- Flood Risk, Drainage Impact and Water Quality Assessment
- Heating Specifications

## **PLANNING HISTORY**

### 17/01625/FUL

98/01044/FUL – Erection of dwellinghouse - approved  
 01/00488/CGD – Alterations to form cold store - permitted  
 02/00058/FUL – Erection of portakabins and decking for use as café and cycle hire - approved  
 02/01439/OUT – Erection of visitor services building - approved  
 03/00395/FUL – Formation of car parking area - approved  
 03/01042/COU – Change of use of barn for sales, storage and osprey viewing - approved  
 04/01652/OUT – Formation of garden centre - refused  
 04/02097/FUL – Erection of portaloos and decking - approved  
 05/01174/FUL – Erection of lean-to and siting storage container - approved  
 05/01865/FUL – Extension of consent re 02/00058/FUL - approved  
 06/01890/FUL – Change of use from house to visitor centre, staff accommodation, café, bike hire and car parking - approved  
 06/02337/FUL – Extension to consents 03/01042/COU and 05/01174/FUL - approved  
 07/00493/OUT – Erection of dwellinghouse - refused  
 08/01766/FUL – Alterations to form kitchen, replacement toilet block and car parking - approved  
 09/00469/FUL – Demolition of dwelling and erection of office and facilities – approved  
 11/00079/ADV – Installation of non-illuminated signage - approved  
 14/01136/FUL – Siting of temporary storage container – approved

### 17/01633/FUL

No planning history

## CONSULTATION RESPONSES:

### 17/01625/FUL

#### Scottish Borders Council Consultees

**Roads Planning:** No objections in principle, the Transport Assessment demonstrating that following traffic counts, some car parks are over capacity but others have spare capacity, there being a slight increase in the number of overall spaces but all now being located at the Glentress centre dealing with peak demand more effectively. However further information is needed before the scheme can be supported, mainly related to the crossing arrangements for the A72 between the main Glentress entrance and the existing multi-use path. Other details needed include the phasing of parking upgrading to replace the loss of the Buzzard's Nest car park.

**Forward Planning:** Supports the application but consideration must be given to compliance with LDP Policy ED7, the proposals meeting with those strategic aims in terms of the Scottish Borders Tourism Strategy and supporting local towns and services. Glentress Masterplan has been produced as Supplementary Guidance and proposals should be assessed against this. Sees this application as the first in a series aimed at delivering the aims of the Masterplan. Raises the need for additional landscaped screening to the south of the current car parking when viewed from the A72. The Masterplan also sought a rendezvous point for emergency vehicles. All road safety related matters should be considered by the Roads Planning Service, including the crossing of the A72. Upon receipt of agent responses, welcomes the rendezvous point addition but still seeks additional planting.

**Landscape Architect:** Notes the proposal is supported by the Glentress Masterplan and by the submitted Landscape and Visual Impact Assessment which is in compliance with the Masterplan. No objections but feels that the overflow car parks are the most visible element and should be planted and screened to a greater degree. Also queries whether forest planting could be extended down to more effectively screen the proposed biking skills area from the A72 and seeks a detailed schedule of new planting.

**Archaeology Officer:** Supports the development and notes the submitted Archaeological Desk Based Assessment which indicates the potential for impacts on previously unknown archaeology, resulting from proximity to Scheduled Monuments at Eshiels and Castle Hill. Also highlights discovery of a Neolithic or Bronze Age settlement at Horsburgh and further evidence of potential medieval archaeology nearby. Finally, the loss of the "Howff" building is of concern as it is potentially listable, dating from 1936 and with a mixed usage history, the main interest being not in its architecture but in its history of inter and post-war labour dynamics.

In terms of recommendations, the "Howff" building should preferably be retained or at least relocated elsewhere. If neither is viable, it should be recorded and interpreted in the car park. Concern over the increased likelihood of Castle Hill monument being impacted by mountain bike trails together with more generalised impacts through increased visitor numbers and seeks planting or other mitigation to resolve this. Recommends a Heritage Interpretation Access and Management Plan. Also concerned over the relationship of the proposed barrier system with the boundary of the Eshiels Roman Camp Scheduled Monument and seeks temporary fencing protection during construction. An Archaeological Written Scheme of Investigation will be required by condition which can also cover the linked application by Forest Holidays Ltd.

**Economic Development:** Development complies with the strategic target of the Scottish Borders Tourism Strategy 2013-2020. It will provide authentic experiences, increasing levels of visitors and spending to the area. It will enhance visitor attractions and build on the success of mountain biking in the Tweed Valley area. Also complies with a Visit Scotland Consultation Paper on a National Tourism Development Plan for Scotland.

**Ecology Officer:** No objections subject to a Construction Environmental Management Plan being submitted. Satisfied with Protected Species Surveys Report but Species Protection Plans will be required by condition for bats, red squirrels, pine marten, amphibians, reptiles, breeding birds, raptors and badgers. These should include pre-development surveys and incorporate measures outlined in the submitted provisional Protection Plans. Informatives needed in relation to SNH licences for impacts on badgers, red squirrel and bats, as well as no development within breeding bird season unless otherwise agreed. Initially required confirmation of an identified oak being retained or a bat survey undertaken in relation to trees with potential for bat roosts. Subsequently accepted the tree was being retained. In relation to bats in buildings, either a licence or proof that a licence will not be required should be exhibited.

**Flood Protection:** No objections but part of the site could be at risk of flooding. However, due to topography there is no risk to the development but with proximity of burns, surface water run-off may be of concern. Development should ensure greenfield run-off rates are not exceeded through attenuation and any water crossings should not reduce the conveyance capacity of the watercourses.

**Environmental Health:** No comments other than former commercial/industrial building usage also requires a contaminated land study before development commences, by condition.

**Access Officer:** No claimed rights of way on the site but rights of access allowed under Land Reform (Scotland) Act 2003. Concerned that the Multi-Use Trail may become too dominated by mountain bikers and seeks some mitigation to encourage respect for other users. The proposed barrier to the main Centre should not obstruct pedestrians, cyclists and horse riders.

## **Statutory Consultees**

**Historic Environment Scotland:** Assessed potential effects on three Scheduled Monuments at Eshiels Roman Camp, Horsburgh Castle and Horsburgh Castle Farm but no objections. Some concerns over construction impacts and requires planning conditions to safeguard the Eshiels Roman Camp from construction impacts and provision of interpretative materials for the three Scheduled Monuments. Consult with Council Archaeologist and Heritage Officer on other cultural heritage impacts.

**Scottish Natural Heritage:** In terms of the Tweed SAC, sediment discharge is likely to be the main impact, together with any works to the main entrance gate system next to the Eshiels Burn. However, considers it unlikely to have an adverse effect on internationally and nationally designated sites. Squirrel dreys and a feeding station are recorded within the development footprint requiring further survey to ascertain if the dreys are used by red squirrel. Impacts on bats is accepted although further protected species surveys still sought on bats, breeding birds and pine marten. Upon submission of entrance repositioning and further information, noted that the offset from the top of the burn bank to the associated barrier on the entrance road has been created, avoiding the need for grey bank reinforcement in the Eshiels Burn. This amendment

significantly reduces the chances of the potential contamination of the SAC. Any CAR licensing will take into account the SAC. Accept the responses on Protected Species.

**SEPA:** Object on the basis that the new entrance barrier system appears to encroach on the Eshiels Burn, potentially reducing the capacity of the watercourse to convey floodwater efficiently. Given part of the site is within a flood risk area, any new water crossings should also convey the flood risk flows together with freeboard. In the absence of further information, a Flood Risk Assessment may be required.

Direct authorisations may be required from SEPA with regard to any engineering activities in or near watercourses. Surface water should be dealt with via SUDS and pollution prevention mitigation used during construction.

Upon receipt of amended plan, removes objection as there will be no works or impacts on the Eshiels Burn as a result of the entrance barrier.

**Peebles and District Community Council:** Response awaited.

**Innerleithen and District Community Council:** Response awaited.

#### **Other Consultees**

**Visit Scotland:** Response awaited.

**Scottish Badgers:** Response awaited.

**Association for the Protection of Rural Scotland:** Response awaited.

#### **CONSULTATION RESPONSES:**

##### **17/01633/FUL**

#### **Scottish Borders Council Consultees**

**Roads Planning:** No objections in principle, the Transport Assessment demonstrating the existing junction with the A72 can safely accommodate the development. The Buzzard's Nest car park is being accommodated within application 17/01625/FUL and the internal layout is acceptable, subject to further gradient and construction details. However further information is needed before the scheme can be supported, mainly related to the crossing arrangements for the A72 between the main Glentress entrance and the existing multi-use path. Other details needed include construction and gradient information for all access roads and parking areas and the phasing of parking upgrading to replace the loss of the Buzzard's Nest car park.

**Forward Planning:** Supports the application but consideration must be given to compliance with LDP Policies ED7 and ED8, the proposals meeting with those strategic aims in terms of the Scottish Borders Tourism Strategy and supporting local towns and services. Glentress Masterplan has been produced as Supplementary Guidance and proposals should be assessed against this, especially in relation to landscape and visual impacts from outwith the site and the impacts of glazing, especially from the A72. Welcomes the link with the Forest Enterprise proposals. Roads Planning comments should also be taken into account.

**Landscape Architect:** Notes the proposal is supported by the Glentress Masterplan and by the submitted Landscape and Visual Impact Assessment which is in compliance with the Masterplan. No objections but queries compliance with the tree felling impacts of the Masterplan, site service impacts, details of supplementary planting, quarry restoration, site lighting and woodland management.

Subsequently accepts that such information is now included after further applicant response, albeit proposed new planting specifications still need to be addressed.

**Archaeology Officer:** Supports the development and notes the submitted Archaeological Desk Based Assessment which indicates the potential for impacts on previously unknown archaeology, resulting from proximity to prehistoric settlements. Welcomes the intention to address this in an Archaeological Written Scheme of Investigation which can also cover the linked application by Forest Enterprise. Concern over the increased visitor numbers impacting on hill forts via tracks and mountain bike trails and, therefore, recommends a Heritage Interpretation Access and Management Plan. Also concerned over the potential to traverse Cardie Hill Fort from the proposed Buzzard's Nest car park and requires clarification of any proposed path and restriction to walkers/interpretation purposes only. Subsequently satisfied with fencing proposals re Cardie Hill subject to condition.

**Economic Development:** Development complies with the strategic target of the Scottish Borders Tourism Strategy 2013-2020. It will provide authentic experiences, increasing accommodation, visitors and spending to the area. It will enhance visitor attractions and build on the success of mountain biking in the Tweed Valley area.

**Ecology Officer:** No objections and satisfied with the submitted Phase 1 Habitat report, Ecological Procedural and Management Statements and Protected Species Reports but requires either confirmation of an identified sycamore being retained or a bat survey undertaken in relation to trees with potential for bat roosts. Also Species Protection Plans will be required by condition for bats, red squirrels, pine marten, amphibians, reptiles, breeding birds, raptors and badgers. These should include pre-development surveys and incorporate measures outlined in the submitted provisional Protection Plans. Informatives needed in relation to SNH licences for impacts on badgers, red squirrel and bats, as well as no development within breeding bird season unless otherwise agreed.

Reaffirms that pre-determination information is only required in relation to bat impacts on the identified sycamore tree and that all other protected species information can be dealt with via conditions. Now accept that the sycamore tree will be retained.

**Flood Protection:** No objections but part of the site could be at risk of flooding. However, due to topography there is no risk to the development but with proximity of burns, surface water run-off may be of concern. Development should ensure greenfield run-off rates are not exceeded through attenuation and any water crossings should not reduce the conveyance capacity of the watercourses.

**Environmental Health:** Notes that impact assessments have been carried out regarding air quality and noise from heating systems but requires further information on borehole usage for the water supply and impacts on private water supplies. Former quarry usage also requires a contaminated land study before development commences, by condition. No further comments after considering additional borehole report.



**Access Officer:** No claimed rights of way on the site but rights of access allowed under Land Reform (Scotland) Act 2003. "Janet's Brae" connects Peebles to the southern site boundary and should be maintained primarily as a walking route. The link to Peebles from the south-west corner requires traffic-calming where it crosses the main track.

## **Statutory Consultees**

**Historic Environment Scotland:** Assessed potential effects on two Scheduled Monuments at Eshiels Roman Camp and Glenfield Hill Fort but no comments to offer. Consult with Council Archaeologist and Heritage Officer on other cultural heritage impacts.

**Scottish Water:** No public sewers in the vicinity so no concerns.

**Scottish Natural Heritage:** Unlikely to have an adverse effect on internationally and nationally designated sites. In terms of the Tweed SAC, sediment discharge is likely to be filtered adequately given the distance and SEPA pollution prevention guidelines should be adhered to. In terms of species protection, further information needed on drainage impact on an existing badger sett. Squirrel dreys are recorded within the development footprint requiring further survey to ascertain if the dreys are used by red squirrel. Impacts on bats is accepted although further surveys still sought on pine marten.

Following further information on the drainage impact on a badger sett, confirm a licence will not be required but still recommend a badger Protection Plan.

**SEPA:** Object on the lack of clarity and conflict with drainage proposals within the submission, site drawings explaining a gravity connection with the public sewer is intended but the Design and Access Statement advising that a treatment plant will then discharge to drains underneath tracks, including a holding tank. In terms of surface water, this should be dealt with via SUDS. Boreholes for drinking water will require authorisation. Flood risk needs to be assessed by the Council's Flood Protection Team and whilst there are parts of the site that are at risk, they are well below the level of any development. Run-off rates should not be increased from the site. Pollution prevention is addressed in the Construction Management Plan but further advice is recommended.

Following supplementary drainage information being submitted which shows foul drainage being discharged into a holding tank before reaching a public sewer, remove objection.

**Peebles and District Community Council:** No objections but require foul drainage to be addressed to meet SEPA requirements which has also been raised by a neighbour. Welcomes holiday usage but should ensure no reversion to permanent residences via a planning condition. Condition also to ensure any permanent residences are staff-only.

**Innerleithen and District Community Council:** Response awaited.

## **Other Consultees**

**Visit Scotland:** Response awaited.

**Scottish Badgers:** Response awaited.

**Association for the Protection of Rural Scotland:** Response awaited.

## **17/01625/FUL**

### **REPRESENTATION SUMMARY**

Letters of objection have been received to the application from two individuals, including the following grounds:

- Construction impacts in relation to noise, light and air pollution
- Obtrusive barrier positioning
- Request for sound barriers and noise/air pollution monitoring by Environmental Health
- Request for construction vehicle movement restrictions and working hours

Three letters of support have also been received including the following grounds:

- The proposals will boost local tourism to the Tweed Valley area.
- The existing tourism service providers will benefit from increased visitor numbers.
- The mountain biking tourism sector will be strengthened via the investment of the development and the support to Forest Enterprise.
- Provision of needed facilities to the area at a safer and more accessible site
- Better located parking.

## **17/01633/FUL**

### **REPRESENTATION SUMMARY**

Letters of objection have been received to the application from four individuals, including the following grounds:

- Overdevelopment
- Impacts on a forest and green space.
- Concerns over sufficiency of water and impact on existing private water supplies
- Sewage treatment issues and excessive trenching
- Increased conflict with a working farm.
- Impact of light pollution at an elevated site.
- Increased litter and nuisance
- Access can be shut in winter months causing an issue of reaching the cabins.
- Destruction of wildlife habitat and trees.

Two letters of support have also been received including the following grounds:

- The proposals will boost local tourism to the Tweed Valley area.
- The existing tourism service providers will benefit from increased visitor numbers.
- The mountain biking tourism sector will be strengthened via the investment of the development and the support to Forest Enterprise.
- Provision of needed facilities to the area.

## **DEVELOPMENT PLAN POLICIES:**

### **Scottish Borders Local Development Plan 2016**

Policy PMD1 Sustainability  
Policy PMD2 Quality Standards  
Policy HD3 Protection of Residential Amenity  
Policy ED7 Business, Tourism and Leisure Development in the Countryside  
Policy EP2 National Nature Conservation Sites and Protected Species  
Policy EP3 Local Biodiversity  
Policy EP5 Special Landscape Areas  
Policy EP8 Archaeology  
Policy EP10 Gardens and Designed Landscapes  
Policy EP12 Green Networks  
Policy EP13 Trees, Woodlands and Hedgerows  
Policy EP15 Development Affecting the Water Environment  
Policy EP16 Air Quality  
Policy IS5 Protection of Access Routes  
Policy IS6 Road Adoption Standards  
Policy IS7 Parking Provisions and Standards  
Policy IS8 Flooding  
Policy IS9 Waste Water Treatment Standards and Sustainable Urban Drainage

## **OTHER PLANNING CONSIDERATIONS**

SESplan Strategic Development Plan 2013  
Scottish Planning Policy  
National Planning Framework

“Glentress Masterplan” Feb 2016  
“Biodiversity” SPG  
“Green Space” SPG  
“Trees and Development” SPG  
“Placemaking and Design” SPG  
“Landscape and Development” SPG  
“Local Landscape Designations” SPG  
“Scottish Borders Woodland Strategy” SPG

## **KEY PLANNING ISSUES**

The main determining issues with these applications are whether the development is in compliance with Local Development Plan Policies and Supplementary Planning Guidance on landscape and environmental impacts and also with policies supporting recreation and economic development.

## **ASSESSMENT OF APPLICATIONS**

### Planning Policy

The sites are located at Glentress Forest which is one of eight forests in the Tweed Valley Forest Park, recognised as a high quality environment for outdoor activities. Glentress is at the

centre of Forest Enterprise Scotland's (FES) proposals to ensure important forest resources continue to be available to the public, offering a range of activity from passive enjoyment of the landscape to active pursuits such as walking, horse riding and mountain biking. The Planning and Economic Statements submitted with these planning applications indicate that the current centre attracts over 300,000 visitors per year. The overall aim of both applications is to enhance the facilities at Glentress and encourage longer stays through the provision of high quality accommodation, enhancement and rationalisation of existing facilities and car parking. This is envisaged to create significant economic benefit to the area and also allow further investment in the centre reflecting the vision contained within the approved SPG "Glentress Masterplan". Whilst only reflecting the first stages of improvement and enhancement at Glentress, these proposals are still fundamental to the progress of the development and the delivery of the overall objectives. The cabin accommodation is necessary to deliver facility enhancements and the improvements reflected in the FES application are also required to be undertaken at the same time to reinstate and improve car parking, trails and skills areas being displaced by the cabin accommodation.

The principal Local Development Plan Policy to be applied to these planning applications is ED7 Business Tourism and Leisure in the Countryside. This indicates encouragement for the purposes of the applications which are providing increased holiday accommodation for the Tweed Valley area and enhancing the existing facilities at a major existing tourism and recreation centre. The Policy firstly directs development to appropriate locations and it is clear from the proposals and the supporting submissions, that the proposals are wholly related to the purposes of tourism and recreation at an existing facility.

ED7 also seeks to be assured that the development could not reasonably be located within a settlement. The Planning Statement submitted with the FES application clarifies that as the applications are relevant, and intrinsically linked, to the Glentress Forest facility, they could not reasonably be located anywhere else and certainly not within a settlement. The Masterplan accepts this fact recognising that proposals enhancing the facilities at Glentress should be supported under ED7, being close to the town of Peebles and offering additional economic benefits in that respect.

ED7 has a series of criteria that must also be met by proposals and these will be addressed in the relevant subject sections of this report below. All new businesses proposed under ED7 must also be supported by a Business Plan which should demonstrate accordance with the Scottish Borders Tourism Strategy. Both applications were supported by Business Plans in the form of an Economic Impact Assessment for 17/01625/FUL and a Demand and Economic Benefit Assessment for 17/01633/FUL. The latter was also supported by a Community Benefits report which outlined the history and credentials of the applicant Forest Holidays Ltd (FHL).

The investments proposed suggest that by 2022, there will be an overall net increase of 60 jobs at Glentress, rising to 89 by 2035 if all improvements in the Masterplan are carried out. The submissions also identify increased spend over these periods both with and without the holiday cabin proposals, summarising that there could be £2million per annum by 2035 without taking into account the FHL application. The report submitted for the holiday cabin development suggests a further £1.66 million would be spent in the Borders based on a 90% average occupancy.

The economic benefit reports have been considered by the Economic Development Section of the Council. They consider that both applications comply with the strategic target of the Scottish Borders Tourism Strategy 2013-2020. They will provide authentic experiences, increase levels

of visitors and spending to the area. They will enhance visitor attractions and build on the success of mountain biking in the Tweed Valley area and also comply with a Visit Scotland Consultation Paper on a National Tourism Development Plan for Scotland.

Given this support, the supporting information and the encouragement contained within the Masterplan SPG, it is considered that both proposals are in compliance with Policy ED7 and the main qualifying criteria, including being supported by business plans and fitting with the Scottish Borders Tourism Strategy.

Concerns have been raised by the Community Council over the cabin accommodation in relation to occupancy, to seek assurance that occupation is either for staff or for holiday purposes. FHL have discussed this matter and have no issues with the SBC standard holiday occupancy condition being attached to the 56 cabins. This ensures a stay of no longer than four weeks within any 13 week period by any particular person and a register of holidaymakers to be retained for inspection. FHL believe this fits in with their general pattern of short-stay holidaymakers. The imposition of the condition is necessary as the cabins would be capable of being lived in all year round as dwellinghouses, any such use being wholly contrary to LDP Policy.

The three cabins intended for staff can be conditioned to ensure that whilst permanent residence would be allowed, it can only be by any employee of the FHL cabin complex with spouse and dependants. The applicant was questioned on the need for three such units but the responses are accepted, given the number of bedspaces within the 56 cabin development, the need for holiday/sickness cover and the relative isolation of the site from other houses that could have provided accommodation.

One of the further controls that ensures the chalet development is for the purposes stated is related to the intention to have a number plate recognition barrier adjoining the Go Ape facility. FHL clearly wish to ensure that any vehicles coming to their holiday complex are related to the complex either as occupiers, visitors or supporting services. The Masterplan seeks to ensure that any supporting services such as a café/bar or retail are related to the development and are not attractions in themselves. Whilst the Reception building proposed to the north of the Buzzard's Nest car park does contain a shop and café, the floor area given over to such uses is relatively small. Rather than condition the building to ensure it is only used by holidaymakers, the more logical solution is to assume that the number plate recognition barrier at Go Ape will limit usage by the general public. The details of this barrier will therefore need to be agreed by planning condition. That said, the on-site shop/café will be modest in size and it is not envisaged that this will affect, to any significant extent, amount of use and spend at other facilities at Glentress, Peebles or elsewhere in the area.

Reference is made by Forward Planning to Policy ED8 Caravan and Camping Sites and this is also referred to in the Masterplan. However, the chalets are not of a size or method of construction that would qualify as a mobile caravan unit. The most relevant Policy for compliance, therefore, is Policy ED7 as assessed above. Other LDP Policies, including PMD2 Quality Standards will be assessed throughout the remainder of this report under the relevant subject headings.

### Landscape and visual impact

The developments require to be assessed against the relevant landscape and rural amenity parts of LDP Policies ED7 and PMD2, ensuring successful integration into surroundings and

being of a scale appropriate to rural character. Glentress Forest is also located within the Tweed Valley Special Landscape Area which is covered by Policy EP5, ensuring developments do not have a significant adverse impact on the quality of the landscape that led to designation. EP12 on Green Networks is also relevant, aiming to ensure the greenspace network through the Tweed Valley from Peebles to Melrose is maintained and enhanced. Upper Tweeddale National Scenic Area (protected by Policy EP4) lies to the south-west of the sites across the Tweed Valley. The Glentress Masterplan SPG also contains detailed advice on layout and impacts on the landscape.

The impacts potentially caused by the cabin development would be of much greater significance than those associated with the car parking and biking trails, representing both the scale of development and also the different elevations. Both applications have, however, been supported by full Landscape and Visual Impact Assessments (LVIA). These have taken account of the potential visual impacts of the developments on the landscape and on the designated Special Landscape Area. Members will note that the Council Landscape Architect has accepted both proposals, after having considered the details of the LVIA's, subject to conditions.

With regard to the cabin development, the potential height and visibility of this development was recognised in the Masterplan. Areas of high external visibility were zoned for no development, noting a ridge through the western part of the site and an open southern edge in particular. The LVIA identified these sensitivities from higher summits to the south but also felt, with continuous tree cover retained on Kittlegairy Hill, impacts could be minimised and there was generally good containment. There would be no visibility from Peebles itself and only a small amount from the Tweed Valley. Through a series of mitigative measures, impacts could be minimised to acceptable levels and in compliance with LDP Policy. The measures are as follows:

- Layout – kept to a low density of 2.2 cabins per hectare in an irregular pattern, avoiding rigid rows and utilising existing forest tracks to the central and eastern parts of the site. Kept back from sensitive boundaries and avoiding steep sections of the site. Central and facilities buildings utilising clearings, the Buzzard's Nest car park and the existing quarry. New tracks to the west and dedicated cabin parking using crushed stone to match, parking being close to the cabins. All layout principles in accordance with the Masterplan SPG.
- Design – the cabins are designed in sympathy with their woodland setting and in accordance with the Masterplan. Only seven of the 56 cabins would be above single storey height and all will be clad in timber with glazed gables and split dual pitched and tiled roofs. There is a uniformity of design across all four different sizes of cabins and the external treatment will also match on the communal buildings, including the central hub building and staff accommodation. Materials will be chosen to minimise visual impact and blend with the forest setting.
- Lighting – application supported by a Lighting Management Strategy and plan, important considering the elevated and potentially prominent nature of the hillside. Low level lighting will only be attached to the cabin and parking spaces for each cabin, triggered by sensors. There will be no street lighting and minimal lighting elsewhere. Also management and design measures to minimise light spill from within each cabin.
- Woodland cover – the layout, cabin and road positions and methods of construction are all designed to minimise tree removal within the site. The tree survey covered 961 trees

within the site, categorising from Class A to D. Only three category A trees will be lost to protect others, out of a total of 224 trees being removed. The cabins will be “keyholed” into the woodland with only those trees removed that are necessary, constructed on piled foundations and arriving in modular form. Roads are largely existing and services will follow the tracks. Works will be carried out in accordance with an Arboricultural Method Statement.

- New planting – Glentress has been operated as “Continuous Cover Forestry” since the 1950s and this will continue, with thinning and selective group felling where required in accordance with a submitted Woodland Enhancement and Management Plan. Additional planting intended throughout the site in accordance with a Planting Plan, areas of note being around the Buzzard’s Nest car park, in the former skills area (now proposed as a picnic site), along the southern edge of the site and within and to the south of the quarry. The quarry itself is also planned for modest restoration with spoil heap levelling, smoothing out slopes and new planting.

As a result of these measures, the LVIA concludes that the impacts on the surrounding landscape and the SLA can be minimised and are acceptable. The Council Landscape Architect accepts the development and the various supporting submissions and mitigation measures. Taking all of the information into account and assessing it against the requirements of the Masterplan SPG, it is considered that the proposals represent a sympathetic development in compliance with relevant LDP Policies on landscape and visual impacts. The development is appropriate to its forestry setting and is low density, utilising existing tracks where possible, clearings and the quarry. There will be some visual impact on the landscape but it will be minimised and managed by the various design and other mitigation measures described above. Much of the information submitted will still require to be agreed and regulated by condition, including materials for all buildings and adherence to woodland and lighting strategies.

There is reference in the Masterplan to phasing of development within the holiday cabin site. It is known that Forest Holidays will develop the whole scheme in one phase. Given the uniform nature of the development and the forestry cover throughout the developable parts of the site, there would seem to be no particular justification to impose any order or phasing of the development.

The application submitted for the Forest Enterprise proposals was also supported by a Landscape and Visual Impact Assessment. Whilst of much less potential impact in terms of scale of works, the proximity to the A72 and the more open and sensitive nature of the landscape requires care with regards to the development. The new bike trails and multi-use path will be narrow and low-impact incursions into the hillside utilising stone and whin dust. The bike skills area is of potentially greater impact, given the open and sloping field it will be located within, to the east of the current Glentress Peel car park. Whilst further details of this have been sought, the agent has responded to accept a condition seeking further details. It is known that it will not involve any form of large structures and there will be shelter belt planting carried out to screen it from the A72. There will also be individual trees planted throughout the skills area and in the area between the shelter planting and the A72. The new planting can be controlled by condition. It is also the case that the Masterplan envisaged development in this area, including additional car parking. This is not proposed at this stage and any planting carried out may have to be adjusted and augmented should future car parking be intended here.

The other main visual impacts will occur as a result of the works to the overflow car parks, especially the upper car park where two buildings will be demolished to make way for additional

car parking spaces. There will also be a new path linking the upper car park to Glentress Peel. Whilst Forward Planning and the Landscape Architect have both sought additional planting to the south of the lower car park, the agent has responded that there is already maturing hedge and tree planting along the southern boundary and that the works in both car parks will not increase the visual impacts on the landscape. Having noted this planting on site and accepting that the loss of two buildings will represent a reduction in visual impact from the A72, I would agree with the agent that there is insufficient justification to seek additional planting in this location – even though it may have been discussed at the Masterplan stage. Subject to a condition securing the additional planting around Glentress Peel and the new bike skills area, it can be accepted that the development will not have any significant adverse impact on the landscape of the area.

The relevant parts of Local Development Plan Policies PMD2 and ED7 are met by the proposals contained within both applications, subject to conditions. Furthermore, the landscape protection under Policy EP5 and the various measures contained within the Masterplan SPG are met by the applications.

### Ecology

Both applications also need to comply with Local Development Plan Policies relating to ecology, EP1 to EP3. This protects the range of ecological interests from international through to local species and biodiversity. The Glentress Masterplan also stated the ecological requirements upon submission. The applications have been submitted with a range of reports including Phase 1 Habitat Surveys, Ecological Procedure Reports and species specific reports relation to bats, badgers, breeding birds, amphibians etc.

On 17/01625/FUL, the Ecology Officer has no objections subject to a Construction Environmental Management Plan being submitted. She is satisfied with the Protected Species Surveys Report but Species Protection Plans will still be required by condition for bats, red squirrels, pine marten, amphibians, reptiles, breeding birds, raptors and badgers. These should include pre-development surveys and incorporate measures outlined in the submitted provisional Protection Plans. Informatives are also needed in relation to SNH licences for impacts on badgers, red squirrel and bats, as well as no development within the breeding bird season unless otherwise agreed. In relation to bats in buildings, either a licence or proof that a licence will not be required should be exhibited. SNH also commented on the need for further squirrel surveys and Protection Plans but were content with impacts on the River Tweed SAC.

The Ecology Officer sought further confirmation of an identified oak being retained or a bat survey undertaken in relation to trees with potential for bat roosts. The agent has clarified that the tree is more than 50m away from the nearest works and would be retained in any case. The Ecology Officer now accepts this.

On 17/01633/FUL, the Ecology Officer is satisfied with the submitted Phase 1 Habitat report, Ecological Procedural and Management Statements and Protected Species Reports but requires either confirmation of an identified sycamore being retained or a bat survey undertaken in relation to trees with potential for bat roosts. The applicant has clarified that the sycamore tree will be retained and the Ecology Officer has now accepted this.

Species Protection Plans will also be required by condition for bats, red squirrels, pine marten, amphibians, reptiles, breeding birds, raptors and badgers. These should include pre-development surveys and incorporate measures outlined in the submitted provisional Protection



Plans. Informatives are also needed in relation to SNH licences for impacts on badgers, red squirrel and bats, as well as no development within breeding bird season unless otherwise agreed.

SNH are content with impacts on the River Tweed SAC and request further surveys on squirrels and pine marten through condition. Concerns over a badger sett and proximity to drainage have now been resolved after the applicant clarified buffer distance with SNH.

Subject to the conditions and informatives recommended, the developments can be considered to be in compliance with Policies EP1-EP3 of the Local Development Plan and the requirements of the Glentress Masterplan SPG.

### Archaeology

Local Development Plan Policy EP8 refers to development that could adversely affect archaeological assets. The Policy covers both Scheduled Monuments and Local Archaeological interests. It states that any development creating an adverse effect on assets or their setting will be weighed up against the benefits of the proposal and consideration of any mitigation strategies.

Both applications have potential impacts on Scheduled Monuments and local archaeology. With reference to application 17/01625/FUL, Historic Environment Scotland (HES) identify potential effects on three Scheduled Monuments at Eshiels Roman Camp, Horsburgh Castle and Horsburgh Castle Farm. They raise no objections provided conditions protect the Roman Camp from construction and on site interpretation is carried out for the monuments. Whilst the agent queries the relevance, he is aware of the requirements which can be attached as conditions.

The Council Archaeologist supports the development and accepts the submitted Archaeological Desk Based Assessment. His principal concern relates to the loss of the "Howff" building at the upper car park. He considers the building to be potentially listable, dating from 1936 and with a mixed usage history, the main interest being not in its architecture but in its history of inter and post-war labour dynamics. It should preferably be retained or at least relocated elsewhere. If neither is viable, it should be recorded and interpreted in the car park. The agent has suggested the latter considering retention not to be viable but the Archaeologist believed further justification for removal is required. The agent has now provided this based upon the parking contribution created from removal of the building. Given the fact that the Roads Planning Service believe parking provision is finely balanced with the contribution that the spaces make in place of the demolished "Howff" building, it is considered that the retention of the building and the loss of 16 new spaces would be difficult to justify in the overall planning balance. The recommendation of the Archaeologist would, in any case, be by an appropriate condition to secure at least recording of the building and interpretation.

The Archaeologist is also concerned at the increased likelihood of Castle Hill monument being impacted by mountain bike trails together with more generalised impacts through increased visitor numbers and seeks mitigation to resolve this through a Heritage Interpretation Access and Management Plan (HAIMP). The agent queries the justification for this but would accept a condition, the terms of the condition needing to be debated further. Other conditions would control temporary fencing protection as requested by HES and an Archaeological Written Scheme of Investigation will be required by condition which can also cover the linked application by Forest Holidays Ltd.

With reference to 17/01633/FUL, HES have no concerns over potential impacts on Scheduled Monuments. The Council Archaeologist supports the development and welcomes the intention to submit an Archaeological Written Scheme of Investigation which can also cover the linked application by Forest Enterprise. Due to concern over increased visitor numbers impacting on hill forts via tracks and mountain bike trails, he again recommends a Heritage Interpretation Access and Management Plan. Concerns over the potential to traverse Cardie Hill Fort from the proposed Buzzard's Nest car park will be resolved by some preventative fencing works that can be controlled in the HAIMP condition.

Subject to the conditions and informatives recommended, the developments can be considered to be in compliance with Policy EP8 of the Local Development Plan and the requirements of the Glentress Masterplan SPG.

### Access

Local Development Plan Policies PMD2 and ED7 require safe access to proposed developments, supported by Policy IS7 on parking provision. The main issue with the developments is principally related to the increased traffic and parking requirements generated by the Forest Holidays proposals, combined with the general perceived increases in visitor numbers at Glentress as a result of the improvements and investments. For these reasons, the Glentress Masterplan recommended a Transport Assessment.

Roads Planning consider that the submitted Transport Assessment and Surveys demonstrate the existing junction with the A72 can safely accommodate the development. However, further information is needed before the scheme can be supported, mainly related to safety and crossing arrangements for the A72 between the main Glentress entrance and the existing multi-use path. Meetings have been ongoing over appropriate and proportionate methods to achieve this and what is justified by the development. The agent has submitted some solutions to the issue which involve better warning signage, removal of junction vegetation and a footway widening on the south side of the A72 at the crossing point, with the details secured by condition and costs borne by the applicants. Members will be updated on Roads Planning comments at the Committee meeting.

Other details are also needed for application 17/01633/FUL in relation to construction and gradient information for all access roads and parking areas. In relation to 17/01625/FUL, the Transport Assessment and traffic counts indicate that whilst some car parks are over-capacity, others have spare capacity. There is acceptance of the overall car parking provision based more centrally at Glentress, however, provided the increased spaces in the upper and lower overspill car parks are completed before the loss of the Buzzard's Nest car park. Given that the additional car parking south of the new Skills area (shown in the Masterplan) is not proposed at this stage, there is greater justification to maximise the number of the spaces in the upper overspill car park, as explained by the agent in responding to the Archaeologist regarding the "Howff" building.

An important part of the application by Forest Enterprise is the gated entry/exit arrangement on the main access road into the site. Although some of the objectors oppose the barriers, there has been no objection from Roads Planning and the submissions clarify why the barriers are needed and how they would not hold up traffic from entering the site. The need for revenue capture is a commercial decision, which is understood and accepted and the barriers are not envisaged to create any road safety issue of stacking traffic in relation to the public road network. However, as with the barriers for the cabin development, details need to be agreed

and secured by condition to ensure that they continue to operate in the manner intended and do not create any road safety issue.

Local Development Plan Policy IS5 relates to the protection of access routes. Whilst there are no claimed rights of way within the sites, the Access Officer has made some suggestions regarding mitigation to ensure the multi-use path and Janet's Brae are not dominated by cyclists and some traffic calming. These matters are related to management of the tracks and can be dealt with in Informatives.

Subject to resolution of the A72 crossing issue and to the conditions and informatives recommended, the developments can be considered to be in compliance with Policies PMD2, ED7, IS5 and IS7 of the Local Development Plan and the requirements of the Glentress Masterplan SPG.

### Infrastructure

The main issues with regard to infrastructure provision on the sites relates to adequate water and drainage. Local Development Plan Policies EP15, IS8 and IS9 are the most relevant in consideration of the impacts of development of this site on the water environment. The Glentress Masterplan also sought a Drainage Impact Assessment as well as information on flood risk and water quality impacts. The applications have been submitted with appropriate reports including a Drainage Strategy, Impact Assessment and Borehole Feasibility review.

The response from relevant consultees has been supportive, subject to conditions. Environmental Health required further information on borehole usage in terms of provision of adequate water and impacts on any existing private supplies. This was also of concern to some of the objectors. Further information was submitted and this satisfied Environmental Health who had no further comments.

In terms of drainage for 17/01633/FUL, SEPA had initially objected on the inconsistencies in the submissions over treatment of foul drainage. They then withdrew their objection on the basis that the drainage system would be connected to a public sewer. Following Scottish Water comment that there was no public sewer to be connected into, the agent then clarified that the drainage system would be private, via holding tanks, but still then discharge into the nearest public sewer connection at Soonhope Cottage via a 2.5km new gravity drain. Scottish Water have replied that this will be a matter for their Customer Connections team to consider. Given the lack of clarity over this position and SEPA's objection withdrawal on the basis that a public connection would occur, a condition for further details of the foul drainage system will be necessary.

In terms of surface water drainage, SEPA recommend SUDs based systems which can be controlled by condition. Small parts of the site for the cabin development are at flood risk although not at any level that would affect floor levels. However, run-off from the site would need to be controlled and this is also referred to by the Council's Flood Protection Officer. A condition can ensure run-off rates are controlled together with any water crossings not reducing the conveyance capacity of the watercourses.

The entrance/exit barrier proposed by Forest Enterprise has caused some concern with the statutory bodies, especially in relation to potential incursion into the Eshiels Burn. SEPA submitted an objection on the basis that there may be a reduction in conveyance capacity of the burn. The agent has submitted an amended plan adjusting the location of the barrier and road

widening slightly west and reconsultation has occurred with SEPA. They have subsequently withdrawn their objection. SNH are also content with the revision in terms of potential impacts on the SAC.

Subject to appropriate conditions, the developments can be considered to be in compliance with Policies EP15, IS8 and IS9 of the Local Development Plan and the requirements of the Glentress Masterplan SPG.

### Other issues

Policy HD3 of the Local Development Plan refers to protection of residential amenity. The cabin development is far removed from any houses and would not have any direct impacts apart from increased traffic. However, given the visitor numbers already at Glentress, it is not considered that the increases arising from the cabin development would justify any opposition on the grounds of significant residential amenity impacts. Most houses nearby are at the Glentress Hotel building group but none of these are directly adjoining the car parking improvements intended by 17/01625/FUL. The occupants of the main affected house are particularly concerned about construction disturbances and have requested a number of mitigation measures, including noise and air controls including hours restrictions and sound barriers. Such matters are under the control of the Health and Safety Executive and there have been no recommendations from Environmental Health on this matter. However, the agent has considered the objections and has offered the submission of a Construction Management Plan to ensure residential amenity concerns are addressed as far as possible. This can be a condition and liaison with Environmental Health can occur upon submission of the Plan

There are also objections from local landowners in relation to increased impacts on their properties resulting from the additional people attracted to the forest as a result of the holiday chalet development. The applicant has addressed this in the Operational Management Plan to some extent, explaining the intentions for signage for paths and trails, the curfew noise policy and dog control. A condition can be attached to ensure the development is run in accordance with the Operational Management Plan. Beyond that, it has to be recognised that the existing forest is a hugely successful major recreational attraction with full public access and that there will already be inevitable impacts on surrounding farmland and property. Any additional impacts resulting from the chalet proposal itself, therefore, are likely to be proportionately small and have to be balanced against existing impacts, the displacement of mountain biking activities to the lower forest and the mitigation expressed in the Operational Management Plan. On that basis, it is not considered there is justification to oppose the development for reasons in relation to impact on adjoining farms and property.

There are various other matters that have been addressed through the reports and surveys submitted or can be controlled through appropriate conditions and informatives. These include contamination, waste management and energy efficiency measures. Although all other issues have been considered, none are raised that would outweigh the consideration of the application as set out above.

### **CONCLUSION**

The proposals are considered to be the first but significant stages in the development and enhancement of Glentress Forest. The proposals are likely to create significant economic

benefit to the area and allow for further investment in the existing visitor attraction, reflecting the vision contained within the Glentress Masterplan. Subject to compliance with the schedule of conditions and informatives, the development will accord with the relevant provisions of the Local Development Plan 2016 and Masterplan.

### **RECOMMENDATION BY CHIEF PLANNING OFFICER:**

**17/01625/FUL** - I recommend the application is approved subject to the following conditions and informatives :

#### Conditions

1. No development to be commenced in relation to the bike skills area until further details of extent, ground levels, surface treatment and any structures are submitted to, and approved by, the Planning Authority. Once approved, the skills area to be completed in accordance with the approved details and before the closure of the existing bike skills area to public use.  
Reason: To ensure a satisfactory form of development, which contributes appropriately to its setting.
2. No development to be commenced until a scheme for improvements to the existing crossing arrangement of the multi-use path with the A72 is submitted to, and approved by, the Planning Authority. The scheme should include proposed measures and a timescale for implementation. Once approved, the scheme to be completed in accordance with the approval and agreed timescale.  
Reason: In the interests of road, pedestrian and cyclist safety.
3. No development to be commenced until further details of the main entrance barrier (indicated in Drawing DB4001.036 3 of 6), including method of operation and maintenance) are submitted to, and approved by, the Planning Authority. Once approved, the barrier and related roadway section to be completed and operated thereafter in accordance with the approved details .  
Reason: In the interests of road, pedestrian and cyclist safety and to ensure efficient operation of the Glentress facility.
4. The upgrading of the upper and lower overflow car parks to be completed in accordance with the approved drawings before the Buzzard's Nest car park is closed to public use.  
Reason: In the interests of road safety and to ensure that sufficient off street parking space is retained for operation of the Glentress facility.
5. The proposals shall not involve any closed culverting of watercourses nor shall there be any alterations that would reduce the flow conveyance. Suitable bridging solutions, bottomless or arched culverts should be used where watercourse crossings are required.  
Reason: To safeguard against detrimental impacts on the water environment.
6. All surface water from the development, including during construction, to be treated in accordance with SUDS principles and any run-off from hard surfaces to be attenuated to at least existing greenfield run-off rates.  
Reason: To safeguard against detrimental impacts on the water environment and downstream receptors.

7. All planting shown on approved Drawing DB4001.036 (6 of 6) shall be carried out in the first planting and seeding seasons concurrently with the development of the bike skills area and new trails, or in the next available planting season thereto and maintained thereafter in accordance with the approved details.  
Reason: To ensure that the proposed landscaping is carried out as approved.
8. The emergency vehicle rendezvous point shown on Drawing DB4001.036 (5 of 6) to be provided before the multi-user path, trails and skills area are operational.  
Reason: To ensure appropriate and safe access for emergency vehicles.
9. No development to be commenced until a Construction Environmental Management Plan has been submitted to, and approved by, the Planning Authority. Once approved, the development to proceed fully in accordance with the Plan.  
Reason: To safeguard ecological interests at the site.
10. Prior to commencement of development, detailed Species Protection Plans for bats, red squirrels, pine marten, amphibians and reptiles, breeding birds and raptors and badgers, shall be submitted to and approved by the Planning Authority. The SPPs shall incorporate measures outlined in the provisional species protection plans provided by Solway Ecology (Consulting) Ltd, (2017) and shall include provision for pre-development supplementary surveys (including squirrel drey surveys) as well as mitigation, and enhancements for protected species, where possible. Development shall be undertaken in strict accordance with the approved SPPs.  
Reason: To safeguard ecological interests at the site.
11. No development shall commence during the breeding bird season, unless wholly in accordance with a Species Protection Plan for breeding birds that has been submitted to and approved by the Planning Authority.  
Reason: To safeguard ecological interests at the site.
12. In relation to bats in buildings, prior to the commencement of development, the applicant shall provide to the Planning Authority:
  - a copy of the relevant European Protected Species licence, or,
  - a copy of a statement in writing from Scottish Natural Heritage (licensing authority) stating that such a licence is not necessary for the specified development.Reason: To safeguard European Protected Species interests at the site
13. No development shall take place within the development site until the applicant has secured the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation (WSI) which has been submitted by the applicant, agreed by Scottish Borders Council Archaeology Service, and approved by the Planning Authority. 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. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording, recovery of archaeological resources within the development site, post-excavation assessment, reporting and dissemination of results is undertaken to the satisfaction of the Planning Authority in agreement with Scottish Borders Council Archaeology Service.  
Reason: The site is within an area where development may damage or destroy

archaeological remains, and it is therefore desirable to afford a reasonable opportunity to record the history of the site.

14. No development to be commenced until a Heritage Access Interpretation and Management Plan is submitted to, and approved by, the Planning Authority in liaison with Historic Environment Scotland.. The Plan should provide for suitable interpretative materials in relation to Horsburgh Castle Farm, Horsburgh Castle and Eshiels Roman camps archaeological sites and also include measures to limit impacts on Castle Hill. Interpretative material should also be provided for the “Howff” building if removed. Once approved, the Plan to be implemented in accordance with the approved details.  
Reason: To safeguard scheduled monuments in the vicinity of the site.
15. The “Howff” building within the upper overflow car park shall not be removed until a full archaeological record is made of the building and its history, the findings then submitted to, and approved by, the Planning Authority.  
Reason: The building is of archaeological interest and to provide adequate recording of it and its history.
16. No development to be commenced until a scheme is submitted to, and approved by the Planning Authority, in liaison with Historic Environment Scotland, indicating the demarcation by temporary fencing (or equivalent) of the extent of the scheduled monument Eshiels, Roman camps within an appropriate buffer zone. Once approved, the scheme to be implemented in accordance with the approved details and retained until the development is completed.  
Reason: To safeguard scheduled monuments in the vicinity of the site.
17. No development to be commenced until a Construction Management Plan is submitted to, and approved by, the Planning Authority. Once approved, the development to be implemented in accordance with the Plan.  
Reason: To safeguard the amenity of adjoining residents.

#### Informatives

1. Please note that permission may be required from SEPA under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 for any engineering activities in, or in the vicinity of, inland watercourses. This would include any watercourse crossings, bank reinforcements , boreholes and general water management across the site.
2. The above application appears to involve the alteration and improvement of existing mountain bike trails and associated infrastructure. An area of the land proposed for car parking expansion appears to house commercial/ industrial buildings of unknown use alongside existing parking. This land use is potentially contaminative and may have resulted in land contamination which could affect the welfare of users, the value of the property, and the liabilities the owner/ occupier may have.

The land is not currently identified as contaminated land and the Council is not aware of any information which indicates the level of risk the potential contamination presents.

The requirement for a full site assessment and potential remediation may not be practical or proportionate given the nature of the application and it is recommended that the applicant is advised of potential land contamination issues by way of an Informative

Note.

The historic use of the site is recorded within a Council database. This database is used to prioritise land for inspection within the Council's Contaminated Land duties. Should the applicant wish to discuss these duties their enquiry should be directed to Environmental Health.

3. The developer is reminded that a licence will be required from Scottish Natural Heritage in the case of:
  - Any works within 30m of a badger sett;
  - Any works which destroys or disturbs the drey of a red squirrel, or which injure, or kill a red squirrel, or which disturb a red squirrel whilst it occupies its drey;
  - in accordance with the Wildlife and Countryside Act 1981 (as amended) and the Protection of Badgers Act 1992 (as amended)
4. The SBC Access Officer seeks mitigating instructions to encourage respect for all users of the multi-use trail and to ensure that the entrance barrier allows pedestrian, cyclist and horse rider access.

**17/01633/FUL** - I recommend the application is approved subject to the following conditions and informatives :

Conditions

1. The occupation of the 56 holiday cabins shall be restricted to genuine holidaymakers, any person staying for a maximum of 4 weeks in total within any consecutive period of 13 weeks. A register of holidaymakers shall be kept and made available for inspection by an authorised officer of the Council at all reasonable times.  
Reason: Permanent residential use in this location would conflict with the established planning policy for this rural area.
2. No development to be commenced until further details of the main entrance barrier (adjoining the Go Ape facility), including method of operation and maintenance, are submitted to, and approved by, the Planning Authority. Once approved, the barrier to be completed and operated thereafter in accordance with the approved details.  
Reason: To ensure that access to the development and facilities is limited to occupants, their visitors and associated trades and staff.
3. The three staff accommodation units shall only occupied be by persons employed in the holiday cabin development at the site, including partners and dependants of such employees.  
Reason: Permanent residential use unrelated to the holiday development in this location would conflict with the established planning policy for this rural area.
4. No development to be commenced until samples of all external materials to be used on all buildings, structures and deckings throughout the site are submitted to, and approved by, the Planning Authority. The development then to proceed in accordance with the approved samples.  
Reason: To safeguard the visual amenity of the area and the character of the designated landscape.



5. No development to be commenced until a scheme for improvements to the existing crossing arrangement of the multi-use path with the A72 is submitted to, and approved by, the Planning Authority. The scheme should include proposed measures and a timescale for implementation. Once approved, the scheme to be completed in accordance with the approval and agreed timescale.  
Reason: In the interests of road, pedestrian and cyclist safety.
6. The upgrading of the upper and lower overflow car parks to be completed in accordance with the approved drawings under application 17/01625/FUL before the Buzzard's Nest car park is closed to public use.  
Reason: In the interests of road safety and to ensure that sufficient off road parking space is retained for operation of the Glentress facility.
7. No development to be commenced until full engineering details, including construction and gradient information, are submitted to, and approved by, the Planning Authority for all roads and parking areas within the development. Once approved, roads and parking areas to be implemented in accordance with the approved details.  
Reason: In the interests of road and pedestrian safety.
8. No development to be commenced until further details of the foul drainage system are submitted to, and approved by, the Planning Authority. The drainage should be connected to the public system unless an acceptable and appropriate private system can be satisfactorily demonstrated to, and subsequently approved by, the Planning Authority in consultation with SEPA. Once approved, the development then to be implemented in accordance with the approved details and maintained thereafter.  
Reason: To ensure that the site is adequately serviced and to protect the water environment.
9. All surface water from the development, including during construction, to be treated in accordance with SUDS principles and any run-off from hard surfaces to be attenuated to at least existing greenfield run-off rates.  
Reason: To safeguard against detrimental impacts on the water environment and downstream receptors.
10. All exterior lighting on buildings and throughout the site and the design of cabins to be fully in accordance with the details submitted in the Lighting Management Strategy.  
Reason: To safeguard the visual amenity of the area and the character of the designated landscape.
11. Trees to be retained within the site, any removals being in accordance with the Tree Survey/Arboricultural Method Statement and Woodland Management Plan. The trees within the site to be managed in perpetuity in accordance with the Woodland Management Plan.  
Reason: To ensure that adequate tree cover remains within the site to ensure the development is suitably screened and visual impact is minimised.
12. No development to be commenced until further details of the new planting and restoration works shown on 35-23, 35-24 and 35-25 Rev A are submitted to, and approved by, the Planning Authority. This should include timing of planting and a maintenance regime. Once approved, the planting and restoration works then to be

implemented and maintained in accordance with the approved details.

Reason: To ensure that the development is suitably screened and visual impact is minimised.

13. All water extraction and provision for the development to be fully in accordance with the Borehole Feasibility Review and subsequent information submitted with the application.

Reason: To ensure adequate water supply for the development and address impact on existing private supplies.

14. 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 applicant (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 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
- 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.
- 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).
- 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.
- 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 applicant 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.

15. The proposals shall not involve any closed culverting of watercourses nor shall there be any alterations that would reduce the flow conveyance. Suitable bridging solutions, bottomless or arched culverts should be used where watercourse crossings are required.

Reason: To safeguard against detrimental impacts on the water environment.

16. The development shall proceed in accordance with the Construction Management Plan submitted with the application.

Reason: To ensure environmental effects are minimised during construction of the development.

17. Operational management within the site, including access, signage and waste management shall be in accordance with the Operational Management Plan submitted with the application.

Reason: To ensure environmental effects are minimised during operation of the development.

18. Prior to commencement of development, detailed Species Protection Plans for bats, red squirrels, pine marten, amphibians and reptiles, breeding birds and raptors and badgers, shall be submitted to and approved by the Planning Authority. The SPPs shall incorporate measures outlined in the provisional species protection plans provided by Solway Ecology (Consulting) Ltd, (2017) and shall include provision for pre-development supplementary surveys (including squirrel drey surveys) as well as mitigation, and enhancements for protected species, where possible. Development shall be undertaken in strict accordance with the approved SPPs.

Reason: To safeguard ecological interests at the site.

19. No development shall commence during the breeding bird season, unless wholly in accordance with a Species Protection Plan for breeding birds that has been submitted to and approved by the Planning Authority.

Reason: To safeguard ecological interests at the site.

20. No development to be commenced until a Heritage Access Interpretation and Management Plan is submitted to, and approved by, the Planning Authority in liaison with Historic Environment Scotland. The Plan should also provide for measures to limit impacts on hill forts in the area, including Cardie Hill. Once approved, the Plan to be implemented in accordance with the approved details.

Reason: To safeguard archaeological sites in the vicinity of the development.

21. No development shall take place within the development site until the applicant has secured the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation (WSI) which has been submitted by the applicant, agreed by Scottish Borders Council Archaeology Service, and approved by the Planning Authority. 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. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that

all recording, recovery of archaeological resources within the development site, post-excavation assessment, reporting and dissemination of results is undertaken to the satisfaction of the Planning Authority in agreement with Scottish Borders Council Archaeology Service.

Reason: The site is within an area where development may damage or destroy archaeological remains, and it is therefore desirable to afford a reasonable opportunity to record the history of the site.

### Informatives

1. In construction of the development through the Construction Management Plan, SEPA pollution control guidelines should also be adhered to.

Please note that permission may be required from SEPA under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 for any engineering activities in, or in the vicinity of, inland watercourses. This would include any watercourse crossings, bank reinforcements, boreholes and general water management across the site.

2. The developer is reminded that a licence will be required from Scottish Natural Heritage in the case of:
  - Any works within 30m of a badger sett;
  - Any works which destroys or disturbs the drey of a red squirrel, or which injure, or kill a red squirrel, or which disturb a red squirrel whilst it occupies its drey;
  - in accordance with the Wildlife and Countryside Act 1981 (as amended) and the Protection of Badgers Act 1992 (as amended)
3. In relation to bats, prior to the commencement of development, the applicant shall provide to the Planning Authority:
  - a copy of the relevant European Protected Species licence, or,
  - a copy of a statement in writing from Scottish Natural Heritage (licensing authority) stating that such a licence is not necessary for the specified development.
4. The SBC Access Officer seeks mitigating instructions to encourage the use of Janet's Brae connecting to the site primarily as a walking route and also traffic calming measures where the link to Peebles in the SW corner crosses the main track.
5. The development should be implemented in accordance with the Energy Efficiency, BREEAM and Utilities Statement submitted with the application.

### DRAWING NUMBERS

#### 17/01625/FUL

Location Plan – DB4001.038 rev A

Existing Site plan – DB4001.015 Rev B

Proposed Site Plan – DB4001.036 (1 of 6) Rev A

Proposed Site Plan – DB4001.036 (2 of 6) Rev A

Proposed Access Plan – DB4001.036 (3 of 6) Rev A

Proposed Path Plan – DB4001.036 (4 of 6)

Proposed Path and Planting Plan – DB4001.036 (5 of 6) Rev B

Proposed Path and Planting Plan – DB4001.036 (6 of 6) Rev A

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Location Plan GLE/01/LP/A  
Site Masterplan GLE/01/SMP/F  
Wider Masterplan GLE/01/WMP/A  
Quarry Restoration Plan 35-23  
Picnic and Viewpoint Layout 35-24  
Planting Plan 35-25 Rev A  
Existing Parking Layout GLE/01/ECP/A  
Proposed Car Park layout 35-26 Rev A  
Site Establishment Plan GLE/01/SEP/B  
Connectivity Plan GLE/01/CP/B  
Central Building Plan PL (00) 205  
Central Building Elevations PL (00) 206  
Maintenance Building GLE/01/MB/A  
Manager Accommodation GLE/01/TD/A  
Ranger Station GLE/01/RS/A  
Cabin Site Plan GLE/AA(90)002/A  
External Cabin Details GLE/AA(90)001/A  
Cabin 1 Bed PL (00)003  
Cabin 1 Bed PL (00) 004  
Cabin 2 Bed PL (00)019  
Cabin 2 Bed PL (00) 033  
Cabin 3 Bed PL (00)040  
Cabin 4 Bed PL (00)090  
External Light Plan GEN/02/LP/A  
Treehouse PL (00) 095  
Laundry Unit PL (00)400  
Cycle Facilities Building GLE/01/CFB/A  
Proposed Foul Drainage Plan 5753/201A  
Drainage Plan 5753/200 Sheet 1  
Drainage Plan 5753/201 Sheet 2  
Drainage Plan 5753/202 Sheet 3  
Drainage Plan 5753/203 Sheet 4  
Drainage Plan 5753/204 Sheet 5  
Drainage Plan 5753/205 Sheet 6  
Drainage Plan 5753/206 Sheet 7  
Drainage Plan 5753/207  
Triple Neck Settlement Tank DS0962P

**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.

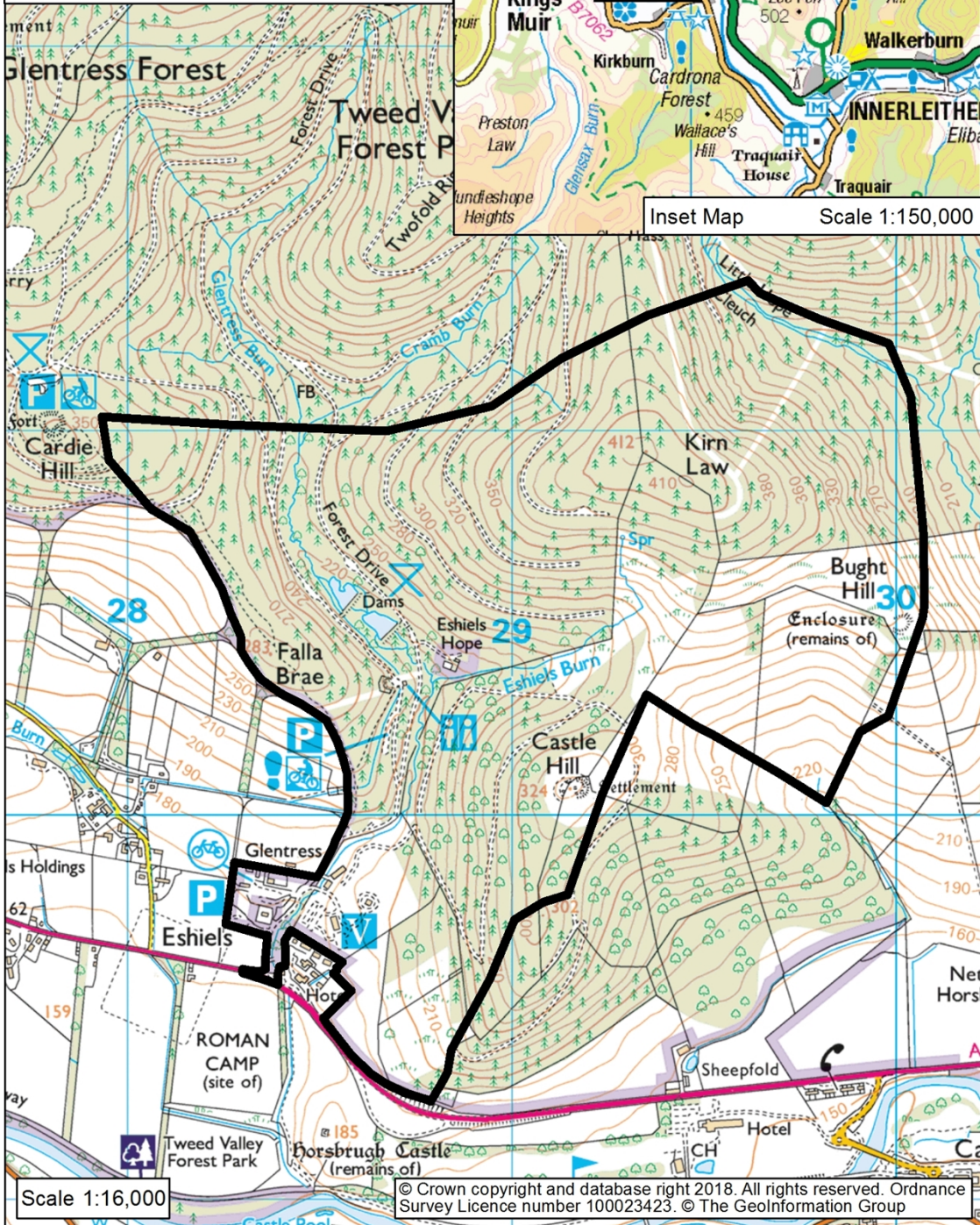
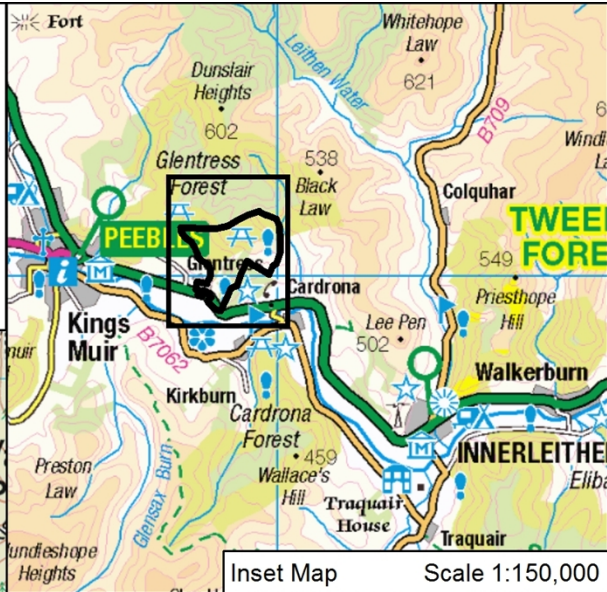
**Author(s)**

Name	Designation
Craig Miller	Principal Planning Officer



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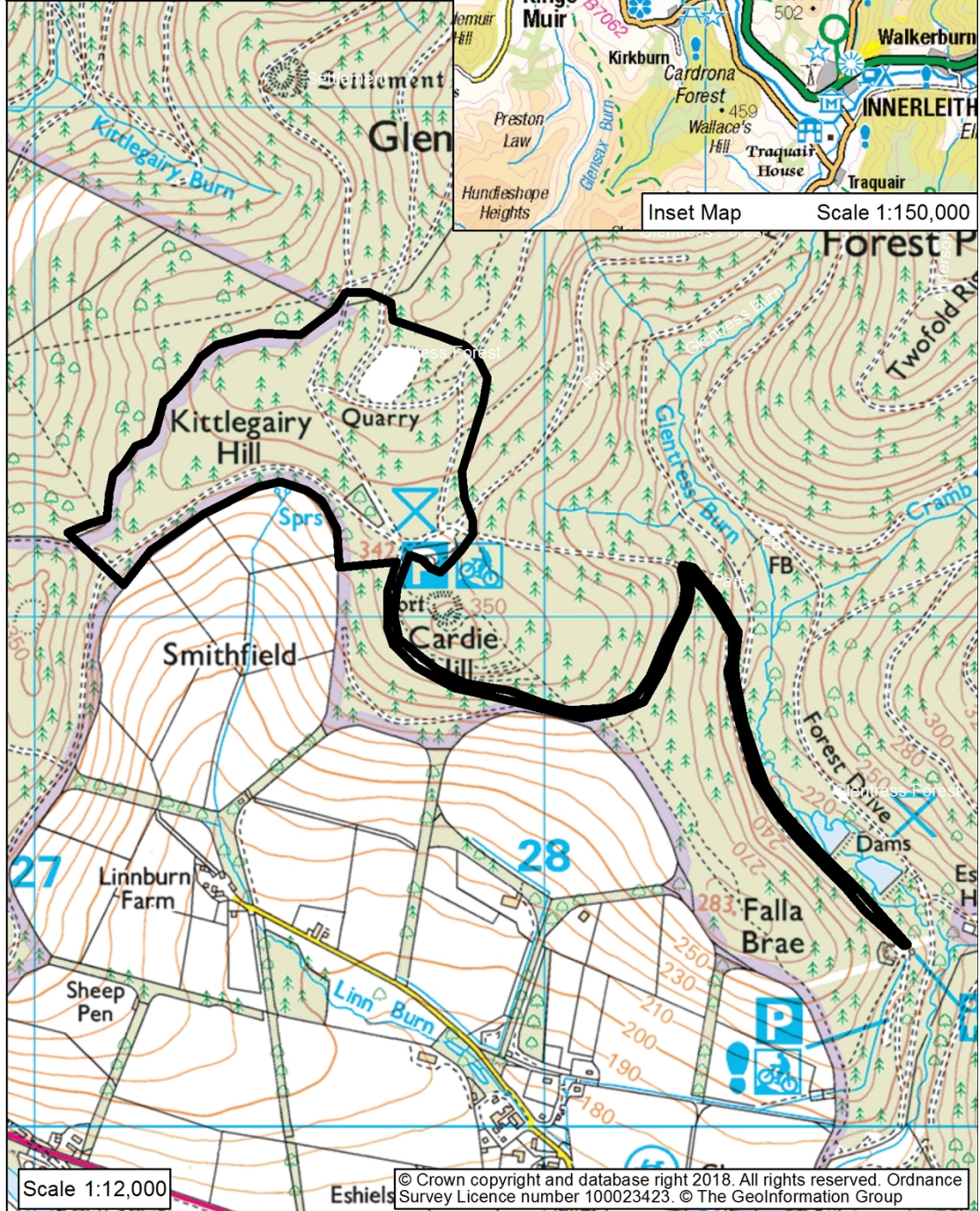
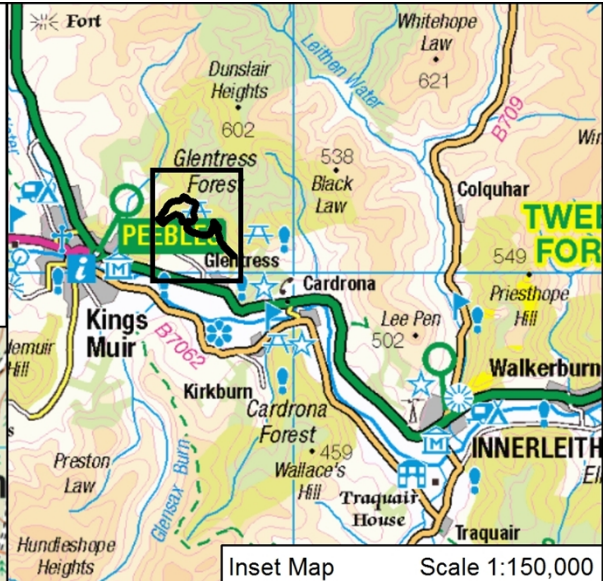
Glentress  
Peebles





17/01633/FUL

Kittlegairy Hill North Of  
Linnburn Farmhouse  
Peebles



Scale 1:12,000