

Local Review Reference: 15/00011/RREF

Planning Application Reference: 15/00275/FUL

Development Proposal: Part change of use to form dental surgery suite

Location: 3 Cherry Court Cavalry Park, Peebles

Applicant: J T Ceramics Ltd

SESPLAN

None applicable.

CONSOLIDATED SCOTTISH BORDERS LOCAL PLAN 2011:

POLICY G1 - QUALITY STANDARDS FOR NEW DEVELOPMENT

All new development will be expected to be of high quality in accordance with sustainability principles, designed to fit with Scottish Borders townscapes and to integrate with its landscape surroundings. The standards which will apply to all development are that:

1. It is compatible with, and respects the character of the surrounding area, neighbouring uses, and neighbouring built form,
2. it can be satisfactorily accommodated within the site,
3. it retains physical or natural features or habitats which are important to the amenity or biodiversity of the area or makes provision for adequate mitigation or replacements,
4. it creates developments with a sense of place, designed in sympathy with Scottish Borders architectural styles; this need not exclude appropriate contemporary and/or innovative design,
5. in terms of layout, orientation, construction and energy supply, the developer has demonstrated that appropriate measures have been taken to maximise the efficient use of energy and resources, including the use of renewable energy and resources and the incorporation of sustainable construction techniques in accordance with supplementary planning guidance referred to in Appendix D,
6. it incorporates appropriate hard and soft landscape works, including structural or screen planting where necessary, to help integration with its surroundings and the wider environment and to meet open space requirements. In some cases agreements will be required to ensure that landscape works are undertaken at an early stage of development and that appropriate arrangements are put in place for long term landscape/open space maintenance,
7. it provides open space that wherever possible, links to existing open spaces and that is in accordance with current Council standards pending preparation of an up-to-date open space strategy and local standards. In some cases a developer contribution to wider neighbourhood or settlement provision may be appropriate, supported by appropriate arrangements for maintenance,
8. it provides appropriate boundary treatments to ensure attractive edges to the development that will help integration with its surroundings,
9. it provides for linkages with adjoining built up areas including public transport connections and provision for bus laybys, and new paths and cycleways, linking where possible to the existing path network; Green Travel Plans will be encouraged to support more sustainable travel patterns,
10. it provides for Sustainable Urban Drainage Systems where appropriate and their after-care and maintenance,
11. it provides for recycling, re-using and composting waste where appropriate,

12. it is of a scale, massing, height and density appropriate to its surroundings and, where an extension or alteration, appropriate to the existing building,
13. it is finished externally in materials, the colours and textures of which complement the highest quality of architecture in the locality and, where an extension or alteration, the existing building,
14. it incorporates, where required, access for those with mobility difficulties,
15. it incorporates, where appropriate, adequate safety and security measures, in accordance with current guidance on 'designing out crime'.

Developers may be required to provide design statements, design briefs or landscape plans as appropriate.

POLICY H2 – PROTECTION OF RESIDENTIAL AMENITY

Development that is judged to have an adverse impact on the amenity of existing or proposed residential areas will not be permitted. To protect the amenity and character of these areas, any developments will be assessed against:

1. The principle of the development, including where relevant, any open space that would be lost; and
2. The details of the development itself particularly in terms of:
 - (i) the scale, form and type of development in terms of its fit within a residential area,
 - (ii) the impact of the proposed development on the existing and surrounding properties particularly in terms of overlooking and loss of privacy. These considerations apply especially in relation to garden ground or 'backland' development,
 - (iii) the generation of traffic or noise,
 - (iv) the level of visual impact.

POLICY H3 – LAND USE ALLOCATIONS

1. Development will be approved in principle for the land uses allocated on the Land Use Proposals tables and accompanying Proposals Maps.
2. Development will be in accordance with any Council approved planning or development brief including where this has been prepared by developers, provided it meets the requirements for the site and its acceptability has been confirmed in writing by the Council.
3. Sites proposed for redevelopment or mixed use may be developed for housing, employment (classes 4, 5 and 6 of the Use Classes Order) or retailing, subject to the sequential test, or a mix of uses that could include community facilities and open space depending on the location of the site, the needs of the community and the deliverability of alternative uses. Redevelopment sites may be developed for a single use.
4. Sites proposed for commercial redevelopment will comprise appropriate town centre uses within Classes 1-4 of the Use Classes Order.
5. Any other use on allocated sites will be refused unless the developer can demonstrate that:

- (i) it is ancillary to the proposed use and in the case of proposed housing development, it still enables the site to be developed in accordance with the indicative capacity shown in the Land Use Proposals table and/or associated planning briefs, or
- (ii) there is a constraint on the site and no reasonable prospect of its becoming available for the development of the proposed use within the Local Plan period, or
- (iii) the alternative use offers significant community benefits that are considered to outweigh the need to maintain the original proposed use, and
- (iv) The proposal is otherwise acceptable under the criteria for infill development.

POLICY ED1 – PROTECTION OF EMPLOYMENT LAND

There is a presumption in favour of the retention of industrial and business use on strategic and other employment sites, including new land use proposals for employment land.

A. Strategic Sites for Business and Industry

1. Strategic Employment Sites

Development for uses other than Classes 4, 5 and 6 on strategic employment sites in the locations identified under Policy E13 of the Structure Plan will be refused.

2. High Amenity Sites

Development on Business Parks, including that proposed at Tweed Horizons, Newtown St Boswells, will be predominantly for Class 4 use. Other complementary commercial activity e.g. offices, call centres and high technology uses may be acceptable if it enhances the quality of the business park as an employment location. The proposals will be the subject of a development brief on their design and layout.

B. Other Employment Sites

Established or proposed industrial estates as identified on the Proposals Maps, and other industrial locations will be retained for industrial development primarily as set out in Classes 4, 5 and 6. Compatible uses such as waste management may be considered to be acceptable. Other uses will be refused unless:

- 1. the loss of employment land does not prejudice the existing and predicted long term requirements for industrial and business land in the locality, and
- 2. the alternative land use is considered to offer significant benefits to the surrounding area and community that outweigh the need to retain the site in employment use, and
- 3. there is a constraint on the site whereby there is no reasonable prospect of its becoming marketable for employment development in the future, or
- 4. the predominant land uses have changed owing to previous exceptions to policy such that a more mixed use land use pattern is now considered acceptable by the Council,

In all employment land site categories development must:

- respect the character and amenity of the surrounding area, and be landscaped accordingly, and
- be compatible with neighbouring employment uses.

Shops and outright retail activities will not be allowed on any employment land category; the only retailing permissible will be that which is considered to be ancillary to some other acceptable activity (e.g. manufacture; wholesale). For the purposes of this policy, ancillary is taken as being linked directly to the existing use of the unit and comprising no more than 10% of total floor area.

POLICY Inf4 – PARKING PROVISIONS AND STANDARDS

Development proposals should provide for car and cycle parking in accordance with the Council's published adopted standards, or any subsequent standards which may subsequently be adopted by the Council (see Appendix D).

Relaxation of standards will be considered where the Council determines that a relaxation is required owing to the nature of the development and/or positive amenity gains can be demonstrated that do not compromise road safety.

In town centres where there appear to be parking difficulties, the Council will consider the desirability of additional public parking provision, in the context of policies to promote the use of sustainable travel modes.

Other Material Considerations

Emerging Scottish Borders Local Development Plan Policy ED1 – Protection of Business and Industrial Land